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ABSTRACT

The Public Defender Service of the District of Columbia has been designated by the Law Enforcement Assistance Administration as an "Exemplary Project" which other communities may consider for replication in establishing legal services for the poor. The guide to the operations of the Public Defender Service of the District of Columbia outlines a number of important policies and standards which have contributed to the provision of effective legal counsel to the indigent, and is used (in conjunction with a training manual) in a comprehensive six-week training course which ensures development of effective trial skills and adherence to overall program goals and standards. The first chapter of the guide summarizes the general organization and some of the specific strengths of the D. C. program. Subsequent chapters present a descriptive narrative of the services and procedures of each of the components of the D. C. service: legal and investigative services; rehabilitative planning services; training and management systems; post-conviction services; and program evaluation and costs. (Author/AJ)

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THE D.C. PUBLIC DEFENDER SERVICE

VOLUME I
Policies and Procedures

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An Exemplary Project

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AN EXEMPLARY PROJECT

THE PUBLIC DEFENDER SERVICE OF THE DISTRICT OF COLUMBIA

Volume I: Policies and Procedures

U.S. Department of Justice
Law Enforcement Assistance Administration
National Institute of Law Enforcement and
Criminal Justice
Washington , D. C.

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FOREWORD

The Public Defender Service of the District of Columbia has demonstrated its ability to provide quality legal representation to its clients. Adequate salaries and intensive training in defense strategies have enabled the Service to attract and hold a highly-qualified staff. Supporting services, including background investigations, psychiatric evaluations, and evidence analysis, assist attorneys in effective preparation of cases.

Because of its proven success, the Public Defender Service has been designated by LEAA as an "Exemplary Project" which can serve as a model for other jurisdictions.

This document and a companion volume of training materials contain detailed descriptions of the Public Defender Service program, including information on planning and management, legal and investigative services, rehabilitation and post-conviction alternatives, program evaluation, and costs.

Taken together, the two documents can serve as a guide for communities wishing to establish comprehensive, effective public defender services.

CHARLES R. WORK
Deputy Administrator
Law Enforcement Assistance
Administration

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CHAPTER I: PROJECT SUMMARY

1.1 Introduction

Public defender services have become an increasingly important component of the justice system. Although organizations for the public defense have existed in various forms for some time, the 1963 decision in *Gideon v. Wainwright*[*] provided the impetus for the development of viable programs offering legal counsel to indigent defendants. After the Supreme Court's 1967 *Gault* decision[**], the responsibilities of public defenders were broadened to include providing counsel in juvenile proceedings. More recently, in *Argersinger v. Hamlin*[***], the Supreme Court held that any defendant charged with a crime which may result in his imprisonment has a constitutional right to counsel, a decision which extended previous rulings to include misdemeanant defendants.

In the face of increasing public and professional concern with the practices of public defenders and the quality of representation afforded the indigent, the broadened mandate of the public defender presents a difficult challenge to new and established defender service organizations. This guide to the operations of the Public Defender Service of the District of Columbia outlines a number of important policies and standards which have contributed to the provision of effective legal counsel to the indigent in the District.

In addressing this publication to private and public organizations in other jurisdictions, it is important to note that the D.C. approach may not be inherently replicable in areas outside the District of Columbia. Modified systems may in fact prove equally effective in areas with differing local needs and resources. Nevertheless, the policies outlined are considered theoretically sound procedures for increasing the quality of the legal defense of the poor.

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[*] 372 U.S. 335 (1963).

[**] 387 U.S. 1 (1967).

[***] 407 U.S. 25 (1972).

This chapter summarizes the general organization and some of the specific strengths of the D.C. Program. Subsequent chapters present a descriptive narrative of the services and procedures of each of the components of the D.C. service.

1.2 Purpose

The D.C. Public Defender Service (PDS) was established in July 1970 pursuant to an Act of Congress as the successor to the District's Legal Aid Agency organized in 1960.

The primary purpose of PDS is to provide effective legal representation to those unable to afford counsel in criminal, juvenile and mental health commitment proceedings. Under its statute, PDS is authorized to provide counsel for up to "sixty percentum of the persons who are annually determined to be financially unable to obtain adequate representation." Counsel for indigent defendants not represented by PDS is provided by private attorneys compensated under the Criminal Justice Act. The statute thus guarantees a "mixed" system of representation consisting of both appointed attorneys and public defenders. In order to assure that the mixed system of representation functions effectively, Congress gave PDS responsibility for coordinating a system for the appointment of private counsel, and for supplying to assigned counsel information and materials on defense representation.

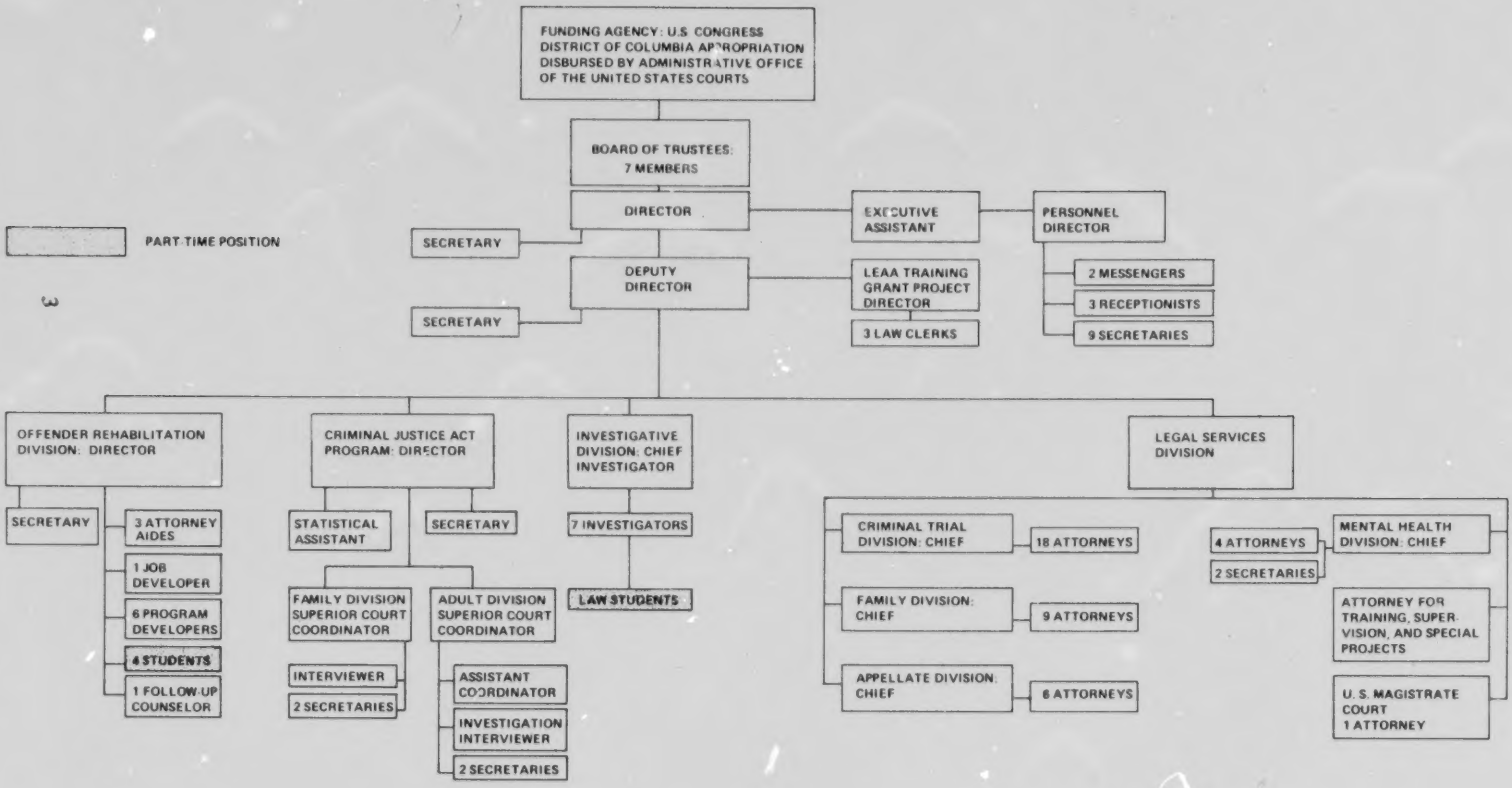
PDS attorneys are assisted in their representation by personnel of the agency's Investigative Division, social workers of the Offender Rehabilitation Division, paraprofessionals, law students and an administrative-secretarial-clerical staff. The staffs of the Investigative and Offender Rehabilitation Divisions also are available to private attorneys appointed under the Criminal Justice Act.

The general organization of the agency's staff attorneys and auxilliary personnel is summarized below and illustrated in Figure 1.

1.3 Project Organization

The Public Defender Service is overseen by a Board of Trustees, whose seven members are jointly appointed by the four chief

FIGURE 1: D.C. PUBLIC DEFENDER SERVICE ORGANIZATION CHART



judges of the courts of the District (U.S. Court of Appeals, U.S. District Court, D.C. Court of Appeals, Superior Court) and the mayor-commissioner. The Board of Trustees, however, is independent of the panel which appoints it. It normally meets once a month; its chairman meets with the Director once or twice a month.

The PDS is administered by a Director, a Deputy Director, a Personnel Director and an Executive Assistant. The Service contains five major sub-divisions: the Legal Services Division, the Offender Rehabilitation Division, the Investigative Division, the Criminal Justice Act Program, and the Training Program, each of which has its division chief or director.

The Legal Services Division is itself comprised of six components: Criminal Trial Division, Family Division, Appellate Division, Mental Health Division, one attorney assigned to the U.S. Magistrates, and one attorney for Training, Supervision and Special Projects. The Criminal Trial Division includes 18 attorneys; it prepares schedules for court appointments, observes some attorneys in court, and, in conjunction with the Chief of the Family Division, recruits and trains law student volunteers for the Investigative Division. The Family Division contains nine attorneys; the Appellate Division, six (to be increased to eight). The Mental Health Division consists of four attorneys and two secretaries and is physically located at St. Elizabeth's Hospital. The attorney responsible for Training, Supervision and Special Projects runs a training program for new staff attorneys, provides supervision where necessary and coordinates such special projects as class action suits.

The Offender Rehabilitation Division (ORD), in addition to its Division Chief, includes six program developers, one follow-up counselor, one job developer, one secretary, and four students. Its function is to prepare and monitor rehabilitation plans for defendants through referral to existing community services, including employment, education, training and family counseling.

The Investigative Division provides investigative services for both PDS attorneys and private attorneys appointed under the Criminal Justice Act. The division is headed by a full-time career investigator; all of the investigators are either currently attending or have recently completed law school.

In the District and Superior Courts assigned private counsel handle the majority of indigent cases pursuant to the Criminal Justice Act. The agency's Criminal Justice Act (CJA) Program was established in 1970 to help coordinate the assigned counsel system. In both the Adult Branch of Superior Court and in the Family Division, the actual appointments are the responsibility of the judiciary.

The Training Program (which performs a separate function from that of the Legal Services attorney assigned to Training, Supervision and Special Projects), is funded by an LEAA grant, and consists of a director, three law clerks and a secretary. The program is responsible for preparing a trial practice manual, organizing training programs for the private bar, publishing the *PDS Bulletin*, preparing in-service training materials for study groups, and maintaining reference materials in the library.

1.4 Significant Program Features

The organization of the D.C. Program reflects a number of key policies adopted by the agency to ensure the provision of competent defense services. The most significant of these are outlined below with references to further discussion in later sections.

(1) Limited workload standards. In establishing standards for the number of cases handled by a single staff attorney, PDS utilizes *workload* as its touchstone, viewing *caseload* as only one of several factors involved in setting standards. Rather than limiting caseloads on the basis of court or funding agency interests, PDS has attempted to define the components of a workload, to relate them to its objectives, and to constantly re-evaluate both. The number of cases is the end result of this process, not the beginning point. Workload standards are dependent on many variables and should vary from agency to agency and attorney to attorney. The PDS standards allow for this individual variation. Since these standards have evolved in an almost ideal defender context (high funding and salary, efficient court system, good training programs, centralized, unified court and jurisdictional structure and adequate supportive resources), their caseload could be considered a maximum for other defender service agencies. (Section 2.4)

(2) Individualized and continuous client representation. Few defender services provide continuous representation by one attorney to each client. Rather, defendants may be transferred from one attorney to another as they pass through successive stages of criminal proceedings. In contrast, PDS attorneys remain with a given client for the duration of his or her case. The only exception to this policy occurs at the appellate level where PDS feels it is critically important to assign a new lawyer to re-examine the case. The impact of these procedures, in terms of client perception alone, may be immeasurable. Moreover, such individualized representation substantially increases the attorney's sense of accountability and responsibility. (Sections 2.3, 2.5)

(3) Comprehensive training program. A high priority within PDS is the allocation of sufficient time and resources for training staff attorneys. As a result, PDS has developed a systematic and comprehensive program which includes an intensive entry-level curriculum and continuing in-service educational and supervisory efforts. (Sections 4.2, 4.3)

(4) Utilization of supportive, non-legal resources in service delivery. Through its Offender Rehabilitation Division, PDS has sought to experiment with the development and utilization of non-legal resources. Social work assistance is available to assist attorneys in developing information for sentencing and preparing long range rehabilitative plans. (Sections 3.1,3.4)

(5) Effective management and administrative systems. PDS provides a clear example of the benefits to be gained by operating under an independent Board of Trustees which can act as a buffer against political pressure and which is willing to accept the responsibility for assuring quality through the regulation of caseload. Moreover, PDS has recognized the need to devote resources to the development of good management and information systems to encourage independence, quality performance and internal accountability. (Sections 2.5, 6.1)

(6) Involvement of the private bar in public defense. PDS administrators are strong advocates of the position that the private bar should be broadly involved in criminal representation. Under the district's "mixed" system, PDS maintains a panel of private attorneys, and provides training, information, advice and supportive services. For PDS, in turn, the participation of private attorneys is a source for limiting workload. (Section 2.1)

(7) Law reform as an integral aspect of public defense. Within PDS, law reform efforts are considered a necessary part of workload -- another tool of effective, individual representation to be encouraged in appropriate cases. Several years ago the agency's Board of Trustees expressed its view on law reform as follows: "We believe that agency attorneys should provide full and effective representation for their clients and that as a result of the agency's sizeable caseload, inevitably significant issues in the administration of criminal justice will arise and those issues should be litigated in cases where *the client's interest is served.* (Emphasis added.)

CHAPTER 2: LEGAL AND INVESTIGATIVE SERVICES

Public Defender Service attorneys represent clients in four courts in more than twenty different types of cases. In the criminal area, as a result of court reorganization, PDS attorneys practice primarily in Superior Court, although legal services also are provided in United States District Court. Juvenile delinquency and in need of supervision cases are defended in the Superior Court's Family Division. Civil commitment patients are represented before the Mental Health Commission of the District of Columbia, and the cases of these persons are later reviewed in the Superior Court. PDS lawyers also provide representation before the United States Court of Appeals for the District of Columbia, and the District of Columbia Court of Appeals. For each arena, PDS provides a guide to the mechanical procedures involved in that court's operations to familiarize attorneys with requirements relating to each type of case.

This chapter reviews the major elements in the D.C. system for delivering defense services. It begins with a description of the mixed system of representation; subsequent sections review eligibility guidelines, caseload standards and the agency's administrative and investigative support systems.

2.1 The 'Mixed' System

In the District of Columbia, the responsibility for representing indigent defendants is shared by public defenders and private attorneys under an assigned counsel system. For such a system to be effective, the private bar must actively participate. Indeed, a compelling rationale for the formation of such a system is the resulting involvement of the private bar in the criminal justice system. In supporting this division of responsibilities, the National Advisory Commission concluded that "An indispensable condition to fundamental improvement of the system is the active and knowledgeable support of the bar as a whole."*

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* National Advisory Commission on Criminal Justice Standards and Goals, *Courts*, Washington, D.C., January 23, 1973, p. 264.

The enabling legislation for PDS calls for the public representation of up to 60% of indigent defendants. The remainder are to be represented by a panel of private attorneys maintained by the PDS through the Criminal Justice Act (CJA) Program.

A plan for furnishing representation in Washington, D.C. adopted in 1972, envisioned broad participation by the private bar. Although this goal has not been realized, PDS still believes that the pool of attorneys from which appointments are made should be expanded. Currently, out of 4,000 attorneys, the local courts (the Federal courts do not participate) have approved about 650 of the most experienced attorneys, who may be drafted once a year to take a case. Assignment schedules are drawn up by program personnel and submitted to the courts for appointment to cases.

In addition to the panel of approved attorneys, there is a pool of 300 attorneys who volunteer to take cases on a regular basis. Approximately 150 of these do so with some frequency. All attorneys appointed under the CJA are compensated at the rate of $30 per hour for in-court time and $20 per hour for out of court time. A limit has been set by the judges of the Superior Court so that no attorney can be paid more than $18,000 per year. The CJA program enforces this rule by notifying the court once the limit has been reached, so that attorneys who earn more can be refused appointments.

A Criminal Justice Act Advisory Board, consisting of seven private attorneys, was appointed by the District of Columbia's four courts in 1972. The Board was established to assist in overseeing the appointed counsel system and to provide staff assistance, primarily in considering attorneys' requests for exemption from the program and in hearing any serious complaints against appointed attorneys. Since legislation affecting the assigned counsel program in the District of Columbia is currently pending, the future of the Advisory Board is uncertain.

2.2 Eligibility Guidelines

PDS attorneys are available to provide representation from the time of arraignment in any criminal case, although their enabling statute limits them to cases involving prison terms of six months or more. CJA (private bar) appointments are now made in accordance with *Argersinger v. Hamlin*, 407 U.S. 25 (1972). PDS, however, is rarely appointed in these cases and does not actively seek to be appointed; it merely provides a daily list of attorneys available to accept assignments.

A procedure for the systematic definition and identification of indigent defendants is clearly essential to the effective application of public defense services. In 1972, the Superior Court in the District approved eligibility standards and guidelines proposed by PDS.

A defendant is eligible for the appointment of counsel and/or the authorization of other services under the Criminal Justice Act "when the value of his present net assets . . . and his net income . . . are insufficient to enable him promptly to retain a qualified attorney, obtain release on bond and pay other expenses necessary to an adequate defense, while furnishing himself and his dependents with the necessities of life."

The standards define "present net assets" as "assets solely owned by the defendant, less the amount of any security interest held by third parties, but does not include assets the sale of which would cause an unreasonable hardship to the person or his dependents." "Net income" means, in the case of salary, take home pay, and, for other forms of income, the amount received after any withholding.

To determine the amount required to retain an attorney, the standards set forth the following minima: for an appeal, $1,500; for a capital offense, $1,500; for a non-capital felony, $1,000; for a misdemeanor, $400; and, for a Family Court proceeding, $400.

Minimum living allowances are set at $52 per week for an individual, $77 per week for an individual with one dependent, and $22 per week for each additional dependent. The standards also provide for joint assets, and for special considerations due to separation

in marriage and defendants under 21 years of age. They also specifically exclude assets which a defendant might obtain by borrowing.

Notably, the PDS system relies on an independent judgement concerning defendant eligibility. Defenders themselves are not required to determine or review eligiblity. Rather, CJA staff are responsible for obtaining financial information and verifying indigency. More important than the specific numbers set forth in the D.C. standards is the fact that indigency is *objectively* determined. Moreover, the definition of eligibility considers unusual circumstances and is keyed not exclusively to the defendant's income but also to a judgement as to what a fair attorney's fee should be for each type of representation.

2.3 Assignment and Initial Contact

In the courthouse cellblock, just prior to the first appearance before a judicial officer, defendants are interviewed by members of the CJA Program to determine eligibility for the assignment of counsel. If the defendant is found eligible, either a private attorney or a PDS lawyer is assigned and interviews the defendant in the cellblock. A sample of the PDS eligibility questionnaire is provided in the Appendix.

Once assigned to a client, PDS attorneys are expected to provide representation for the duration of the client's case. A defender service can be operated, particularly if caseloads are high, on the basis that at any given point in the criminal justice process an indigent defendant will be represented by whichever attorney happens to be available at the moment in question. PDS believes, however, that this is a serious mistake in the conduct of representation and one which must be avoided, if quality representation is to be provided and client confidence protected. Accordingly, it is their formal policy that, once assigned, an attorney remains with a client until the case is cleared. A single and important exception to this policy is observed: the trial lawyer for a given case does not handle that same case on appeal. At the appellate level PDS believes it is critical to assign difference counsel to re-examine the case. Both procedures clearly represent highly desirable standards.

2.4 Caseload Standards

The individualized system of representation within PDS has been feasible largely due to the maintenance of limited workload standards. To establish caseload policies for the District of Columbia service, a memorandum was issued by the Board of Trustees for PDS. As this memorandum indicates, "A common and well-recognized problem faced by many public defender offices is the failure to restrict the caseloads of its attorneys to a number of cases that allows each lawyer to furnish quality legal representation. This situation has developed in other jurisdictions because of a lack of independence of public defender offices as well as an inability to identify the optimum number of cases that can be handled consistent with effective legal services. To assure that as the D.C. Public Defender Service grows it does not experience this problem and to guarantee the continued high quality of PDS representation, the Board of Trustees of the Public Defender Service has adopted standards for the caseloads of its staff attorneys."

The caseload standards are intended to control the work of staff attorneys practicing primarily in the Criminal and Family Division of the Superior Court, but similar standards have evolved for cases on appeal, mental health hearings, and U.S. Magistrate representation. As the Board of Trustees has noted, "These standards are not and cannot be the product of a mathematical formula: the high number of variables and the impossibility of scientifically defining 'quality legal representation' militate against such an approach. They represent, however, the PDS's best judgement of how to balance and synthesize the considerations outlined below."

"(1) Quality of Representation. This is both the most important ingredient and the most difficult to measure in determining what is a reasonable caseload. While not susceptible to ready definition, it is clear that "high quality representation" is characterized by extensive fact investigation, sometimes necessary merely to be certain that a client's desire to plead guilty is supported by provable facts, or, through research required to develop a legal theory; or, by scrupulously careful preparation for trial. Representation of this type is, of course, time-consuming; it is also indispensable if clients are to receive

the representation that traditionally has been furnished by this agency. The goal must be to fix caseloads at levels which will not compel staff attorneys to prepare cases in an incomplete and summary fashion."

"(2) Speed of Turnover of Cases. It is evident that the faster the rate at which cases are closed, the smaller must be an attorney's caseload. If all the work preceding a trial, plea, or dismissal must be telescoped into a few weeks, a trial attorney can handle far fewer cases than if months of preparation time were available. In criminal cases this factor achieves particular importance in light of the plea practice: the most advantageous bargain from the defendant's standpoint usually can be struck prior to indictment. In the District of Columbia, cases are indicted, on the average, within 30 days of arrest. This means that an informed decision as to whether or not to enter a guilty plea must be made within three weeks of arrest. The decision normally requires fact investigation to be certain the case could be proven, if tried, conferences with the Assistant United States Attorney to strike the bargain, conferences with the defendant to obtain his decision and a court appearance to enter the guilty plea. The speed of disposition following indictment is equally rapid, with judgements entered, on the average, within 70 days following arrest, thereby telescoping the defense preparation into a comparatively brief period. This obviously argues for a lower caseload than would be manageable if the disposition time were greater."

"(3) Percentage of Cases Tried. It is apparent that the higher the percentage of cases reaching trial, the lower the caseload must be. In many large, urban courts, intense time pressures and clogged calendars result in only 1-2% of the criminal cases being tried to a jury. In the District of Columbia, however, this is not the situation. During the past several years PDS attorneys consistently have had jury trials in 10-12% of their criminal cases. Although jury trials are not available in the Family Division, the percentage of juvenile cases tried before judges is approximately the same."

"(4) Extent of Support Services Available to Staff Attorneys. To the extent that staff attorneys have available to them adequate support services in the form of secretaries, investigators, social worker assistance, law student researchers and paraprofessional aides, their efficiency and capability to handle cases will be increased. The availability of these support services fluctuates from time to time."

" (5) Court Procedures. To the extent that attorneys spend time in court awaiting action on their cases, their ability to provide representation is diminished. This can often be an important problem in criminal court where attorneys typically spend several hours waiting for presentments and preliminary hearings, proceedings which usually take a short time to complete. Court delays in Family Court are also common."

" (6) Other Activities or Complex Litigation. From time to time, staff attorneys become engaged in protracted or complex litigation or in special projects in addition to normal trial activities. Either of these situations can impose great time demands on the attorney, warranting the reduction of his caseload below the figure deemed to be the standard for an attorney without such unusual time pressures."

An analysis of the foregoing factors, measured against the prevailing practice in the Criminal and Family Divisions, led the Board of Trustees to set for PDS the following standards:

"Felony Trial Caseload: 30. Of this number, it is assumed that approximately 20 will be active cases (i.e., cases pending indictment, pending trial or pending a pretrial motion likely to dispose of the case); the balance will be in less active posture, including cases in which a guilty plea has been entered or a decision to plead made as well as cases in which the defendant is a fugitive for less than six months. A small, but not insignificant, fraction of cases begin as felonies and end as misdemeanors. Therefore, a staff attorney with a felony caseload may, from time to time, have 4 or 5 misdemeanor cases in active posture as well."

"Family Division Caseload: 38. Of this number, it is assumed that approximately 15 will be active cases with a likelihood of trial, the balance consisting of cases where a disposition short of trial seems more likely in view of the operative social and legal factors."

"Based on the foregoing caseloads, and assuming the rate of disposition described above, a PDS attorney would close, in the Criminal Division between 110-120 criminal cases annually, depending in part on the lapse time from judgement to sentence, in the case of defendants found guilty. A PDS attorney assigned to the Family

Division would close cases at the annual rate of approximately 180.*"**

It should be pointed out that there is no necessary numerical justification for the PDS standards. Each defender, however, should have *some* standards, should clearly articulate the basis and components of those standards, and should constantly re-evaluate the standards and criteria used.

2.5 Administrative Support

The key to the implementation of a caseload standard is to establish it as a principle of the public defender service when the service is initiated. The most effective method of doing this is probably the one used by PDS -- the advocacy of caseload standards by a Board of Trustees whose sum influence in the community is sufficient to obtain a level of funding which will permit hiring enough attorneys to keep caseloads within these maxima. PDS, *not* the court, determines its workload, independently and without judicial approval.

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* In the literature concerning public defender offices there is a dearth of information on caseload standards, and the information available has attained whatever value it has on a bootstrap basis. For example, a 1966 "Conference on Legal Manpower Needs of Criminal Law" arrived at the estimate of 150 as a satisfactory felony caseload based on a "crude survey of present practice." See 41 F.R.D. 389 at 393. In turn, this Conference served as the basis of a similar estimate by the President's Commission on Law Enforcement and the Administration of Criminal Justice. See Task Force Report, *The Courts*, p. 56 (1967). And both documents are cited to justify a similar estimate by the National Legal Aid and Defender Association (NLADA) which has also prepared standards to guide public defenders. An estimate respecting juvenile delinquency proceedings (200 annual matters) is contained in Sec.7.4(1)(c) of the NLADA standards. Significantly, none of these studies or reports provide the documentation that should underlie the estimates and their worth is accordingly suspect. Consultation with persons familiar with the literature and work in this area confirms the absence of meaningful standards."

**"Memorandum of the Board of Trustees Re Caseload Levels of Staff Attorneys," Approved June 25, 1973, Samuel Dash, Chairman.

As provided by its statute, PDS is governed by a seven-member uncompensated Board of Trustees appointed for three-year terms by the Chief Judges of the District's four courts and the city's Mayor-Commissioner. Thus, the PDS is unique among Government agencies because, while its appropriation derives from Congress as part of the District of Columbia budget, the agency is not directly answerable either to the executive branches of the D.C. or Federal Governments. Hence, but virtue of its Board of Trustees, the Service is insulated from political and judicial interferences which frequently have plagued defender programs elsewhere in the United States. The need for public defender programs to have independent governing boards has been recognized by the American Bar Association, which has cited the PDS statute as a model.

As an example of this point, a judge demanded the transfer of a case from one PDS attorney to another due to a conflict in trial dates. The Director wrote to the judge emphasizing the Board's policy that cases are not transferable between attorneys. Such a course would not, however, have been possible if PDS were responsible directly to the judges of the courts. In short, an independent Board appears to be crucial in formative stages of establishing a public defender service, particularly in allowing the service to establish such quality-producing policies as limited and non-transferable caseloads.

2.6 Investigative Services

In addition to the careful (and ideally, independent) definition of caseload standards, the availability of sufficient investigative personnel can clearly serve to relieve the time pressures of staff attorneys.

Although PDS employs only seven full-time investigators, a number of law students have been used by the Investigative Division on a part-time basis. Although they are students, they perform all the functions that a full-time investigator or an attorney would in completing the field work on a case. Student investigators interview witnesses and take statements; file subpoenas, obtain hospital and jail records, prepare diagrams, photograph and determine weather and lighting conditions of alleged crime scenes.

The students carry identification cards and leave business cards with every potential witness they contact, since it is the "absolute policy" of PDS for its investigators to identify themselves before conducting any form of investigation.

Although the law students are supervised by the attorneys for whom they work, all students are required to attend a training session before beginning their investigative duties. During this session they are given written materials describing the policies and practices of PDS in invesigating criminal and juvenile cases. These materials include practical hints on conducting investigations as well as instructions on a variety of ethical problems which may arise in conversations with witnesses. (These materials are reproduced in the PDS training package, the companion volume to this report.)

All the services of the Investigative Division are available to both PDS attorneys and members of the private bar appointed under the Criminal Justice Act. The Division is directed by a full-time, experienced investigator. It closes approximately 80-90 cases per year per investigator, most of which are felony cases. Despite the investigative resources which are available to PDS, the agency does not consider them adequate. Ideally, the PDS Director believes that there should be a ratio of one investigator to no more than two attorneys.

Some problems have been associated with the employment of law students due to their schedule of vacations and examinations, lack of experience, and high rate of turnover. Against these problems, however, must be weighed the significant cost savings which result from employing students. Moreover, the use of paraprofessionals and students is not only an economical method for developing services critical to providing effective representation, but serves to broaden the system's conception of the role of non-legal services in defense work.

CHAPTER 3: REHABILITATIVE PLANNING SERVICES *

On June 1, 1967, the Office of Economic Opportunity Legal Services Program funded a two-year community action program known as the Offender Rehabilitation Project. The purposes of the Project were:

- To provide attorneys assigned to defend indigent criminal defendants with social reports on their clients for use in the criminal process. These were to be of two basic types: 1) "defendant studies" for use at the sentencing stage, and 2) social reports of various kinds for use by the defense attorney before trial in the attempt to negotiate a disposition of his client's criminal case.

- To develop community-based rehabilitation plans in order to facilitate, where appropriate, diversion from the criminal process, a negotiated disposition before trial, or a probationary sentence for convicted defendants.

- To help secure community-based social and rehabilitative services, when needed, for defendants and their families.

The original grant was made to the Legal Aid Agency for the District of Columbia, the predecessor of the Public Defender Service. That agency's attorneys were to be the primary beneficiaries of the Project's services, though other assigned counsel would also be assisted. The program continues to operate today as a separate division of the D.C. Public Defender Service. Hence this effort to provide pre-trial rehabilitative services was and remains an integral part of the agency.

3.1 Evolution of the Offender Rehabilitation Division (ORD)

In the summer of 1964, the staff attorneys of the Legal Aid Agency for the District of Columbia discussed how they might improve overall services to their indigent clients. A major shortcoming, they felt, was the lack of comprehensive social background data and rehabilitative planning assistance in their cases, particularly at the time of sentencing when the judge based his decision largely on a probation office presentence report not

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* Drawn from an evaluation report prepared by the Institute of Criminal Law and Procedure, Georgetown University Law Center, *Rehabilitative Planning Services for the Criminal Defense*, Washington, D.C. (July 1970).

available as of right to the defendant and his counsel.* Since all attorneys were full-time personnel carrying demanding caseloads, it was concluded that if such assistance were to be effectively rendered it would have to be done by specialized supplemental staff.

In applying shortly thereafter for a grant from the National Defender Project of the National Legal Aid and Defender Association, a request was made to include two social service oriented staff persons among the additional attorneys, investigators, and clerical personnel sought for expansion of the Legal Aid Agency's total program. A $200,000 grant was received and from October 13, 1964 to March 31, 1966, two social service workers gathered social background information and developed rehabilitation plans for use by attorneys in selected cases. Used primarily at sentencing in the United States District Court for the District of Columbia, which has jurisdiction over all felonies prosecuted in the District, the attorneys generally found these services helpful in several ways:

- Attorneys could be a more effective part of the dispositional process;
- Judges were receptive to sentencing alternatives and the then somewhat new concept of community-based rehabilitative planning; and
- Defendants were assisted in assuming more constructive roles in the community by the individually tailored plans presented to the court in their behalf.

On April 1, 1966, the Institute of Criminal Law and Procedure made funds available to expand this first-of-its-kind social service staff to eight people -- a coordinator, a social worker supervisor, four social work assistants, and two secretaries.

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* F.R. Crim.P.32 (c)(2), applicable in the U.S. District Court for the District of Columbia, makes disclosure of the contents of the presentence report discretionary with the court. The ABA Standards recommend that disclosure to the defendant's attorney be required. ABA Standards: *Sentencing Alternatives and Procedures 4.4* (Tentative Draft 1967). See also, *National Crime Commission Report 145*.

The expanded program continued to focus on preparing defendant studies and rehabilitative plans which defense attorneys could use at the time of sentencing. The report on the pilot project, however, describes an important broadening of concern based on this experience;

> "As time went on, it became increasing clear to the [Pilot] Project staff members that they should be brought into the case as early as possible after the defendant was assigned counsel. Early referral was seen as necessary to do the kind of thorough background study that was required and to get the defendant, if he was on bail, into a job situation, a training program or a form of therapy, if indicated, prior to trial and case disposition. This early attention to the defendant's needs was important not only for the ultimate disposition of the case, but was essential in order to help alleviate the impact and crisis confronting the defendant and his family as a result of the arrest and often as a result of the removal of the head of the household from the home.
>
> As the [Pilot] Project developed it became clear that early referral of a defendant . . . had a separate value and purpose. It permitted the development of background material on the defendant and a plan for rehabilitation that could be relevant for discussion between the defense lawyer and the prosecutor even *before* trial. The concept of early diversion developed out of this recognition. . . . Under this concept, the same information that was being made available to the judge for sentencing purposes could be made available to the prosecuting attorney to guide him in exercising his discretion to divert the case out of the criminal system for a solution through other community resources.*

The concept of early diversion, endorsed by the National Crime Commission, became a fundamental part of the expanded Project. Moreover, an appreciation of the fact that the less serious criminal cases prosecuted in the Court of General Sessions (now the Superior Court) were far more susceptible to such diversion, also led to plans for the expanded Project to begin operations in that court. Indeed, it was recognized that defendants in the District of Columbia suffered

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* Dash, Medalie, & Rhoden, *Demonstrating Rehabilitative Planning as a Defense Strategy*, 54 Cornell L. Rev. 408 (1969).

from an anomalous situation: accused misdemeanants, who had not yet "graduated" to the status of accused felons in the U.S. District Court, had fewer services available -- especially from the Probation Department -- than U.S. District Court defendants, yet could most benefit from social services to interrupt the all-too-usual progression from lesser to more serious crimes.*

Lack of early referral of defendants to the pilot project led to other problems as well. Defense attorneys frequently deferred making use of the program until they had determined for themselves a dispositional strategy in a particular case. Once the defendant had been referred, often after a guilty plea, it frequently left too little time for competent rehabilitative planning, much less an adequate opportunity to judge the appropriateness of the plan and the defendant's willingness and ability to follow it. In fact, a defendant's situation often deteriorated in the interim between arrest and referral because an already precarious social situation was aggravated by a pending criminal charge.

In many instances, too, the pilot project's experience indicated that defense attorneys emphasized the need only for specific services, particularly employment, since they believed that was the most important factor in judges' dispositional decisions. The lawyers, consequently, were frequently making their own diagnoses of social service needs and doing so, quite naturally, from their own concern with the immediate disposition rather than long-range rehabilitation. The net result was that the pilot project prepared only 88 defendant studies from among its 226 clients -- 39%. Attorneys tended to request studies only in those cases where they thought a disposition could most likely be affected.**

These problems, too, the expanded Offender Rehabilitation Project set out to correct. Under the Office of Economic Opportunity grant, the enlarged staff would permit automatic referral, as soon as counsel was assigned, of practically all indigent cases. The Project was to be unique for its lack of restrictions on intake. Limited only by its primary obligation to the indigent clients of the Legal Aid Agency for the District of Columbia, it would service defendants ranging from those charged with murder

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* *D.C. Crime Commission Report* 393, 396, 406-16.

** Dash *et al., op.cit. supra* n.10 at 410, 416.

to a traffic violation, those with the proverbial criminal record "as long as your arm" to the first offender charged with a misdemeanor -- a truly ambitious undertaking. A correlative aim of the Project, arising from the experience of the pilot project, was to expend greater effort to sensitize defense attorneys, as well as others within the criminal justice system, to the need for, and benefits of, social services for all defendants.

Two additional departures were planned for the expanded Offender Rehabilitation Project. In addition to continuing its use of non-professional social work staff, indigenous ex-offender personnel were recruited as follow-up counselors. These follow-up counselors were to operate as a "follow-up unit" within the Project to prevent breakdown in rehabilitation plans and to assist defendants with other significant problems which might occur while released on bail or probation.

The expanded Project also included a part-time psychiatrist and a part-time psychologist to help identify mentally disordered or deficient offenders as early in the criminal process as possible and to recommend community-based therapeutic treatment programs. These staff members were not themselves to give treatment, but were to provide psychiatric and psychological evaluation reports and testing services to the Project. Nor were they to assist defense attorneys in presenting insanity issues in court, though they would help to identify defendants with possible problems in that area so that the attorneys could pursue the usual channels for mental examination of indigent defendants.*

In summary, the Offender Rehabilitation Project had a definite evolutionary basis for the direction and form proposed for it as an expanded two-year experimental project. It would continue to provide a valuable presentence service to the criminal defense. But in order to better perform that function, and to introduce a new dimension of service to the pretrial stages of the criminal process, it was to be brought into every case as soon as counsel was assigned.

Further, it was to begin operating in misdemeanor cases in the Court of General Sessions (now the Superior Court), it was to utilize indigenous ex-offenders in a social work role, and it was

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* 24 D.C. Code Chap. 301 (1967).

geared to attempt to influence the criminal justice system toward a greater sensitivity to offender rehabilitation issues, including influence upon the community and governmental resources with potential for providing vitally needed social services to the criminal offender. Although staff cut-backs resulted from the expiration of OEO funds, the program has continued to operate -- on a smaller scale but with substantially the same objectives.

3.2 Referral and Service Delivery

Under the reduced program structure, formal referral to the program is required and is generally initiated by the client's attorney. (Referral has also been initiated on some occasions by judges.) Of all referrals, 90% occur during the pre-trial period, usually just after arraignment. This period is preferred, since, except for bond motions, ORD requires a minimum of 30 days to develop and implement a rehabilitation plan. All referrals are made directly to the Division Chief who then assigns cases. The average time spent on a client from entry to case closing is six months.

ORD makes available to its clients, through community-based rehabilitation programs, services which include:

(1) Job training and education through established local training centers, industrial on-the-job training programs, and remedial and adult education programs.

(2) Job placement assistance in order to aid the accused in gaining access to employment which is not "dead-end." In addition to developing job opportunities through private employers, the Division coordinates its efforts through the U.S. Employment Service and through the placement units of other community agencies, such as neighborhood houses.

(3) Psychological and psychiatric evaluations through referrals to a variety of professionals available to the Division workers for consultation on a fee basis. Referrals are also made to various family counseling, mental health, narcotic and alcoholic treatment facilities available in the community.

(4) Material assistance (financial aid, emergency shelter, housing, food, clothing) available through public agencies and private organizations in the city.

(5) Follow-up services through the staff Follow-Up Unit, which coordinates the client's program in the field, attempts to prevent breakdown in the plan, and helps implement any necessary changes in the original plan.

(6) Reports to attorneys in the form of a Defendant Study, used in selected cases to detail biographical, socioeconomic, psychosocial and cultural factors. These reports form the background for a more accurate assessment of the accused and his progress, and set forth alternatives for the disposition of the case which the attorney may present to the court at the time of sentencing. The Offender Rehabilitation Division also prepares reports which defense counsel, in some cases, may present to the U.S. Attorney's office at a much earlier stage in the process to attempt to divert these individuals out of the system entirely.

In cases in which a successful program has been developed pending disposition of charges, ORD submits to the defense attorney an explanation of that program to support a recommendation for a sentence other than imprisonment. In some cases, attorneys for ORD clients receive no recommendation at all from ORD. This may be due to lack of client cooperation or lack of demonstrable success in rehabilitation up to that point.

3.3 ORD Staff

The ORD staff currently consists of a division director, one job developer, six program developers assisted by four part-time students, a follow-up counselor and a secretary. The division director has an M.A. in social work and experience in both social services and corrections. The program developers all have bachelor's degrees. Although one has had extensive experience with rehabilitation and narcotics and one has experience with juveniles, the remainder are recent college graduates. Their responsibilities are to develop community referral resources and to develop rehabilitation plans for ORD clients.

PDS has generally filled the position of follow-up counselor with black males who have not pursued higher education and are ex-offenders themselves. They are chosen for their empathy with the clients, but also for their ability to detect a client who is "conning," to cut through the act, and to establish direct and effective communication.

The remaining staff position is that of the job developer, who helps ORD clients to find and hold jobs during the pre-trial and pre-sentencing periods. He has the following objectives:

(1) Locating and establishing employment opportunities for those charged with, or convicted of, crimes, and accelerating placement in these positions;

(2) Helping the caseworkers of the Offender Rehabilitation Division to meet their service goals to the agency and the appointed bar;

(3) Determining if employment can be used effectively to divert first offenders charged with a misdemeanor(s) out of the criminal justice system through defense counsel.

3.4 Major Replication Issues

In associating a rehabilitative program with the defense two questions must be addressed:

(1) *The first question centers on the credibility of service plans formulated by an agency whose primary responsibility is legal advocacy.* PDS has generally overcome this concern by earning the respect of the bench in providing judges with thorough information for sentencing decisions, and through careful communication with probation officers. Objective reports have tended to negate the assumption that the defender service's efforts are necessarily biased in favor of the convicted offender.

(2) *A second concern is the extent to which services are available to defendants through existing court agencies.* In Washington, the Community Resources Division of the D.C. Bail Agency is engaged in service development and referral. This agency, however, provides services only after release. ORD services are used as a lever in obtaining that release.

Similarly, the Probation Department is confined almost exclusively to the provision of post-conviction services. ORD, on the other hand, is committed to early intervention and service delivery. Where conviction seems assured, it is the goal of ORD's rehabilitative planning to develop the clients as viable candidates for probation. Therefore, ORD does not generally enter in cases where there is a reasonable certainty that the defendant is likely to be placed on probation without project efforts.

The major area offering potential for duplicative efforts is in the preparation of pre-sentence reports. Here, due to excessive probation caseloads, ORD's efforts are generally supportive rather than duplicative. Moreover, the agency believes that redundancy is not really at issue, given the positive duty of the public defender to maintain an advocacy position at the sentencing stage.

In sum, although the specific system for developing defendant rehabilitation plans may change over time, the agency is committed to the utilization of supportive social service resources as an integral function of the conduct of a proper defense.

CHAPTER 4: TRAINING AND MANAGEMENT SYSTEMS

The quality of public defense services depends critically upon the skills of defender personnel. PDS procedures for hiring, training and monitoring staff performance, are intended to ensure the retention of competent criminal defense lawyers.

4.1 Staff Selection

The excellent reputation PDS enjoys within the legal community is reflected in the large number of attorneys from all parts of the country who apply each year for employment with the Service. The Service's statute contemplates that employees of the Service shall be paid at rates which are equivalent to that "paid to persons of similar qualifications and experience in the Office of the United States Attorney for the District of Columbia." Generally, therefore, for both the legal as well as the non-legal staff, the salary scale of the prosecutor's office is followed. The competitive nature of the agency's salary scale vis-a-vis other Government agencies and private law firms means that the Service is able to attract and retain highly qualified attorneys.

Virtually all of the agency's new attorneys have had prior legal experience, including the practice of law, with private firms or government agencies, and clerkships at the trial or appellate levels. Recent law school graduates have often participated in law school clinical programs.

In evaluating employment candidates, although prior experience is considered, PDS is primarily interested in the candidate's mental agility and whether he or she appears to be capable of withstanding the day-to-day "hammering" involved with being a defense lawyer.

All prospective staff attorneys are asked for a commitment to a three year term of service. This commitment is requested for several reasons. First, PDS makes a sizable investment in the education and training of its new attorneys, and much of the dividend is lost if attorneys leave the agency in less than three years. Second, frequent staff turnover means a reduction in the number of lawyers to whom new attorneys can look for guidance, thereby making administration of the agency considerably more difficult. Moreover, the commitment is as much in the interest

of the new attorney as it is in the agency's, since it undoubtedly takes at least three years to derive full benefit from the employment experience offered at the Service.

Screening and hiring procedures follow four systematic steps:

(1) Attorneys who are interested in applying for a position at PDS are given a memorandum which describes the agency and what is expected of its staff members. The use of this instrument makes the hiring process more efficient by avoiding repetition and the possibility of inconsistent feedback from varying sources.

(2) The agency's Director and Deputy Director interview all candidates whose paper credentials appear promising. (Applicants are requested to furnish the agency with 3 letters of reference, a transcript of law school grades, and a legal writing sample.)

(3) Five or six staff attorneys are involved in a second round of interviews. Each of these staff members interviews all candidates and thus each has a good sense of how one candidate compares to the next. A cross-section of PDS attorneys participate in this process on a rotating basis.

(4) According to its statute, the final responsibility for all hiring decisions rests with the agency's Director. However, before any offers are made, the Director, Deputy Director and staff group who have interviewed the applicants, meet to review the files and confer on the apparent strengths and weaknesses of candidates.

These steps have generally proven to be a workable and effective method of screening applicants and ensuring the selection of the candidates who are most qualified to meet the wide range of expectations which PDS lawyers must fulfill.

4.2 The PDS Training Program

Beginning with an intensive basic skills program, the PDS training system includes close senior attorney supervision, entry level practice, and continuing in-service training through study groups and bi-weekly staff meetings. The development of such a

program is an important step in ensuring effective representation, indoctrination in quality norms, development of trial and advocacy skills, sharing of information and experience, and internal communication.

Initial Training Program for New Attorneys

The initial training program for newly hired attorneys covers a six-week period. During this period, attorneys do not handle any cases and enter court only to observe. The program is administered by a senior PDS staff attorney with assistance in particular areas by five or six additional senior PDS attorneys. The program outline follows the chronology of a single case from assignment to trial. (Some aspects of jury trial practice are omitted at this stage and presented at a second stage closer to the new attorneys' entry into the felony court.)

The program methodology involves:

(1) seminars on law and tactics in particular areas from discovery, to suppression hearings, to cross-examination to argument;

(2) simulated exercises and role-playing in each skill area;

(3) background assignments of substantive statutory and case law; and

(4) preparation and critique of written work and simulation performance.

With the program syllabus, performance skills, law, and the facts of the single case utilized build on each other throughout the program. PDS also utilizes videotape whenever possible as the basis both for critiques and for individual reviews.

The elements of this training for new staff attorneys combine to present an extended, well-planned initial program that can provide a guideline and example to other defender service agencies. A training package, which provides all case materials and instructions for the initial program, is available as a supplement to this report.

One-on-One Supervision and Entry Level Practice

Each new attorney is assigned to a senior attorney for at least the first year of practice. The senior attorney is available for consultation at any time and is encouraged to initiate contacts and review new attorney performance. This system is only as good as the people involved and the time they have or make available. No matter how well it is structured, it may not work as well as it should. For this reason, PDS does not rely on it as a primary supervisory, training and evaluative vehicle.

PDS combines "one-on-one" with entry level practice in the Superior Court, Family Division, by all new attorneys under one senior supervisory attorney. PDS has also attempted to set caseload limitations at this level and to permit the gradual evolution of a workload so that practice and training reinforce one another. All three are considered essential second-step training methods. At this level of practice, habits are developed, experience gained and attitudes formed. Minimizing the importance of the entry period would tend to necessitate replication of training at the "real" trial level.

The final aspect of this component is rotation to the Criminal Division of the Superior Court in less than one year. Attorneys are eager for this assignment within a year, and training staff feel a longer period of time in the Family Division could be counter-productive.

Bi-Weekly Staff Meetings

Every other week, PDS conducts a staff meeting devoted primarily to a substantive legal topic of interest to all attorneys. The topic is prepared and delivered by a senior PDS attorney. A memorandum based on the resulting discussion occasionally is prepared for the staff and distributed after the meeting.

This meeting system is an excellent vehicle for (a) disseminating knowledge and experience to all attorneys, (b) reinforcing the importance of sharing and legal and experiential development, and (c) encouraging communication among a large staff which may otherwise not occur without a formal structure. The training director is attempting to correct a possible weakness in this component

by ensuring that the topics are covered in some sort of relevant order and are planned well in advance.

Study Groups

The PDS has recently begun a new component designed to address on-the-job training systematically as well. Attorneys have been divided into five groups each led by one senior person. The groups meet bi-weekly to work together on a sample case file prepared to replicate the initial training program on an advanced level. Groups determine their own sequence, using videotaping, seminars, or role-playing.

This component is experimental and is designed to meet a perceived need to improve the one-on-one system and to work in smaller groups than the staff meeting. PDS is aware that it may be "meeting the attorneys to death" but feels that the value of such exercises to the attorney's practice should make its case. Further, it is an effort to remedy the lack of regular in-court observation. It is also a way to achieve internal communication and attorney evaluation by methods other than work reports and casual observation and discussion -- particularly for attorneys in their second and third year at PDS.

Training Manual - Central File

PDS has always had a central bank or file in the library which contains motions, memoranda and briefs on various matters. However, little quality control was exercised, nor any real effort made to systematize, cover different areas or eliminate duplication. As part of a recent LEAA training grant awarded by the District of Columbia Office of Criminal Justice Plans and Analysis, PDS is attempting not only to develop a better central file system but also to produce a trial manual providing ready access to cases and tactics pertaining to the most common problems and issues that may arise prior to or at trial. The manual outline alone is a useful guide for attorneys. To perform this task and to develop detailed handbooks on particularly important scientific evidence matters, PDS has a staff of four -- three law clerks and an attorney-program director.

New Developments Circulation

PDS circulates "squibs" to all attorneys on every new criminal law case of importance. Attorneys receive the squibs in card form, indexed by subject matter for alphabetical filing. This does not replace individual reading and research, but is of great assistance to staff attorneys as a reference to new developments on specific areas relevant to their current cases. Any defender with an appeals staff could do this easily.

PDS Bulletin and Criminal Practice Institute

These two items relate directly to private bar training. The *Bulletin* contains articles and notes on criminal practice matters of interest, generated by PDS or others, and keeps them advised of PDS practice. It serves as a forum of information, training, education and publicity. The Criminal Practice Institute is run annually by the Young Lawyers Section of the D.C. Bar Association in close cooperation with PDS. The Institute produces an excellent manual every year on various procedural, substantive and tactical matters.

4.3 Quality Control

In addition to its comprehensive training program, PDS monitors the quality of the performance of its attorneys in two ways. First, each lawyer's cases are reviewed with an eye toward caseload (Is he or she carrying a fair share?) and outcomes and dispositions (Is he or she obtaining a normal proportion of acquittals or pleas to a lesser charge, and are the sentences his or her guilty clients are receiving about average, compared with other attorneys on the staff?). If significant deviations from the norm on any of these three measures are noted, an effort is then made to find out why such variations exist, and take remedial action if it appears that the deviation is not simply a result of the nature of the cases the attorney happened to receive during the period of review.

As a secondary measure, to the extent feasible, the transcripts of lost cases are reviewed by senior staff for possible omissions (such as failure to take advantage of the *Jencks* rule) or tactical errors. If it appears necessary, senior attorneys may observe their colleagues in the courtroom. As an aid to both the attorneys

under review and the administration, a checklist of points to be covered in a trial is applied to the transcript so that the evaluation can be based upon shared standards of performance. If a particular issue is raised frequently in these reviews, the subject can be discussed at a regular bi-weekly staff meeting.

4.4 Promotion Policy

PDS provides for a standardized, annual salary increase for its attorneys. It has deliberately eliminated discretionary raises in all but the most extraordinary instances because it found that non-standardized salary increases sometimes led to dissension among the attorneys. The rationale for the standardization of raises for each year's "class" of attorneys is that the caseload assignment procedure results in equitable and commensurable workloads for the attorneys at each level of experience and that as long as an attorney measures up to the standards of the profession, he or she is entitled to a salary increase. What constitutes "outstanding" work is difficult to determine, so that standard becomes, effectively, one of meeting high, minimum standards, rather than being matched against a continuous, graded standard.

For those attorneys who are promoted to a position of managerial responsibility (Division Chief), PDS provides an initial salary increase followed by further yearly increments consistent with the appropriate Government Service (GS) ratings.

4.5 Management Information System

The system for maintaining agency statistics utilizes several specially designed cards keyed to the courts in which attorneys practice. At the conclusion of a case each attorney is required to complete a case card. Samples of the major report forms and case cards are included in the Appendix. PDS has found this system an extremely effective aid in monitoring case flow and evaluating attorney performance. In fact, the agency rejected a management grant to computerize case records as their manual system, although it depends on attorney self-reporting, has proven responsive, effective and economical.

CHAPTER 5: POST-CONVICTION SERVICES

Public defenders are moving to broaden the scope of their activities to include the provision of services to indigents who have been convicted and incarcerated. Among the standards formulated by LEAA's National Advisory Commission is the following recommendation for the public representation of convicted offenders.

> "Counsel should be available at the penitentiary to advise any inmate desiring to appeal or collaterally attack his conviction. An attorney also should be provided to represent: an indigent inmate of any detention facility at any proceeding affecting his detention or early release; an indigent parolee at any parole revocation hearing; and an indigent probationer at any proceeding affecting his probationary status."*

PDS recently began to serve inmates at the Lorton Correctional Complex, in Lorton, Virginia, where convicted felons, misdemeanants and youths are remanded to custody. PDS provides services in three broad areas. First, assistance is provided to inmates in resolving criminal law related problems. These include difficulties with detainers, sentence computation and reduction questions, collateral attack and parole matters. In addition, the program is concerned with institutional administrative matters, such as disputes involving inmate dissatisfaction with custody status. Finally, PDS makes appropriate referrals to organizations equipped to handle the civil problems of inmates.

By virtue of the assistance afforded through this program, it is hoped that inmate grievances will be lessened. This, in turn, should lead to a reduction in inmate tensions, thereby enhancing rehabilitation prospects and reducing the likelihood of prison disturbances.

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* National Advisory Commission on Criminal Justice Standards and Goals, *op. cit.*, p. 261.

PDS is addressing the following specific issues:

5.1 Criminal Law and Post-Conviction Related Problems

(1) Detainers lodged against convicted inmates by the District of Columbia and other jurisdictions pose a problem to both inmates and the Department of Corrections. A detainer is a written notice advising an inmate that he is subject to prosecution on other charges at the completion of his sentence. Once filed against an inmate, a detainer results in the imposition of "close custody status" by the Department of Corrections, which precludes inmate participation in certain rehabilitative programs. Consequently, detainers are an important cause of inmate unrest and pose an impediment to rehabilitation efforts.

Under the Lorton program, PDS initially attempts to persuade the demanding jurisdiction to remove the detainer, as there are times when this is possible. If that fails, the inmate, on advice of counsel, may elect to sign up under the Interstate Compact on Detainers. When this is done, the demanding jurisdiction has 180 days in which either to return the inmate to its jurisdiction for criminal proceedings or to lift its detainer.

(2) Sentence computation problems arise in a number of ways. Often an inmate is not credited, as required by law, with all of the time spent in custody prior to his sentence being imposed. Many inmates are serving multiple sentences imposed by different courts which have made their sentences either concurrent or consecutive to pre-existing sentences. Since some courts are imprecise in spelling out their sentence, correctional officials frequently have difficulty in computing the sentence which will accurately reflect the intent of the sentencing judge. Correcting the confusion for an inmate in this area requires close work with the sentencing court, correctional officials and the inmate, so that ultimately credit is given the inmate for all of the time which is due him.

(3) Motions for reduction of sentences presently are filed regularly by inmates *pro se* and with equal regularity are denied by the courts. In contrast, formal motions for reduction filed by counsel which include information concerning the inmate's adjustment while incarcerated generally are afforded a hearing in open court attended by the inmate and his attorney. Often, at the very least, the minimum portion of an inmate's sentence is reduced,

with the result that the inmate is eligible for parole consideration at an earlier date. This frequently has the effect of giving the successful inmate an added impetus toward rehabilitating himself, so that he will be in the best possible position when he comes before the D.C. Parole Board. It is anticipated that motions for sentence reduction will be filed relatively often under the PDS program, since under existing law there is no requirement that an inmate's appointed attorney pursue a sentence reduction for his client.

(4) Reductions in minimum sentences for an inmate can be sought pursuant to 24 D.C. Code Sec. 201(c). Unlike the motion for reduction described above, this motion need not be filed within 120 days from the date of conviction or appellate affirmance. According to the statute, the application initially must be made by the Department of Corrections to the D.C. Parole Board, and then the Board must petition the court for the sentence reduction. PDS is prepared to assist the Department of Corrections in the preparation of applications pursuant to Sec. 201(c).

(5) The need to correct judgement and commitment papers arises when the sentencing judge has ordered one sentence but the formal judgement and commitment papers reflect something different. Often, an inmate will recall what was stated by the judge at the sentencing, and it then becomes necessary to order a transcript of the sentencing proceeding in order to compare the judge's words with the judgement and commitment papers. If the court papers are inaccurate, as sometimes occurs, steps then can be taken to correct the mistake.

(6) Successful collateral attacks upon criminal convictions pursuant to 28 U.S.C. Sec. 2255 and 23 D.C. Code Sec. 110 normally result in a reversal of an inmate's conviction. Unfortunately, many inmates do not fully understand the ramifications of a successful collateral attack since if they do prevail they may, and usually are, reprosecuted. Furthermore, many uncounseled inmates who elect to file their own *pro se* motions confuse the nature and scope of a motion to vacate sentence by way of collateral attack with other forms of release, e.g., a motion for reduction of sentence. Some inmates, on the other hand, are serving sentences which may be amenable to reversal by way of collateral attack. PDS screens out frivolous collateral attack cases from those with possible merit and provides representation to those inmates whose cases fall within the latter group. An ancillary effect of the Legal Services Program may well be to reduce the volume of *pro se* prisoner petitions which District of Columbia judges now confront.

(7) Next to having a sentence reduced, most inmates look upon parole as the most expedient method of regaining their liberty. Recent decisions by the United States Supreme Court (*Morrissey v. Brewer* , 408 U.S. 471 (1972) and *Gagnon v. Scarpelli*, 13 Crim.L.Rptr. 3081, dec. May 14, 1973) have increased the constitutional rights available to inmates involved in the parole revocation process. Accordingly, PDS makes available, upon request, legal representation to inmates at parole revocation hearings. PDS is also available, upon request, to provide representation at parole grant hearings when the assistance of counsel is deemed necessary.

(8) PDS serves, as needed, as liaison with court appointed counsel who represent inmates on pending charges whether at the trial or appellate level.

5.2 Institutional Administrative Matters

(1) PDS is prepared to make available, with the approval of the Department of Corrections, training seminars on legal issues for the benefit of classification and parole officers.

(2) PDS is also available to provide assistance when disputes arise between inmates and correctional officers.

(3) Finally, PDS is involved in miscellaneous administrative matters affecting the institution and the inmates (e.g., custody and/or classification status).

5.3 Civil Law Related Problems

These are not handled directly by the legal services program, but instead are referred by PDS to other interested organizations (e.g., Neighborhood Legal Services Program, Lawyers to Lorton Project sponsored by the D.C. Bar Association, Young Lawyers Section, and the American Civil Liberties Union).

The types of civil problems usually presented by the inmate population relate to:

(1) Divorce, separation and child custody;

(2) Return of personal property seized by law enforcement officials incident to an inmate's arrest;

(3) Collection of salary earned prior to an inmate's incarceration;

(4) Personal injury cases; and

(5) Civil rights violations.

5.4 Staff

The Lorton project is staffed by two attorneys (with a third soon to be added), a law student program coordinator, a law student assistant to the program coordinator, a legal paraprofessional who is a former inmate of Lorton, a secretary, a secretary/administrative assistant, and about 40 law students who are receiving credit for their work at Georgetown University Law Center. As part of a clinical program at Georgetown, the students are required to take inmate cases referred and supervised by PDS.

The post-conviction services which PDS offers are described here as an example of some of the problems which can be addressed through the extension of public representation to an institutional setting. In other jurisdictions, local needs and resources may dicate other measures for improving the legal resources available to convicted offenders.

CHAPTER 6: PROGRAM EVALUATION AND COSTS

As we have seen, evaluation activities within PDS have generally involved the imposition of several important internal monitoring and quality control procedures. Due to resource constraints and difficulties inherent in obtaining relevant comparative data, PDS has not attempted a formal statistical assessment of the agency's effectiveness in providing defense services. Many defender agencies undoubtedly face similar constraints. Many courts have, however, recognized the importance of developing computer-based management information systems to assist in scheduling and monitoring cases. The availability of such a data base can provide defender agencies with access to a great deal of information useful for evaluating agency effectiveness.

In the District of Columbia, for instance, the U.S. Attorney's Office has instituted a system known as PROMIS -- Prosecutor's Management Information System. This system currently contains complete case histories on approximately 50,000 closed cases. Although it is not currently set up as an interactive data base for statistical analysis, a preliminary design has been developed that would permit court-related agencies to structure research and evaluation experiments.* In fact, PDS presently is negotiating for access to data in the PROMIS system and preliminary approval from the U.S. Attorney's Office has been obtained.

The remainder of this section suggests the general type of experiment that might be structured by a defender agency to produce a quantitative assessment of the quality of public defense representation.

6.1 Method of Assessment

The basic question to be answered through a statistical analysis is whether the outcomes for defendants represented by a public

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*For a description of this system, see: Hamilton, William A. and Work, Charles R., "The Prosecutor's Role in the Urban Court System: The Case for Management Consciousness," Northwestern University School of Law, *The Journal of Criminal Law and Criminology*, Vol. 64, No. 2, 1973.

defender service are significnatly different from the outcomes for defendants represented by private assigned counsel. Such comparisons, however, need to be made with caution. Two factors intervene to make simple private vs. public representation judgements misleading.

- First, public defenders may handle a disproportionate number of cases which have a high probability of conviction. This may be due to the fact that the defendant has remained incarcerated for the entire pre-trial period, a circumstance which may strongly increase the chances of conviction. Or it may be due to the fact that the defendant has a long prior record, or circumstances related to his or her current charge which are more often associated with less favorable outcomes. (PDS, for instance, provides representation primarily in felonies. Moreover, a large number of Superior and District Court judges periodically request that the agency provide representation in particularly difficult cases.)

- The second intervening factor is the caseload carried by the attorney. Public defenders generally have a heavier caseload than do private attorneys. This is a factor over which public defenders have little control, and they should not be penalized by an analysis which fails to take this into account in assessing the quality of representation delivered.

Comparisons of case outcomes achieved by public defenders with outcomes achieved by private attorneys must therefore apply the following controls to the analysis:

(1) Outcomes should be compared within offense categories in order to control for the nature and seriousness of the charge;

(2) Within offense categories, outcomes should be compared according to the prior record of the defendant in order to control for the apparent risk to the community of finding a guilty defendant innocent;

(3) All comparisons must be made within the same jurisdiction for the same time interval;

(4) All comparisons must, of course, be made within the general category of indigent defendants; the public defender must not be compared with the private attorney who defends non-indigent clients. Although in theory indigency does not effect outcome -- that all men are

men are equal before the law -- in practice, indigency does influence outcome and therefore msut be taken into account at the outset of the analysis;

(5) If there is the possibility that, within the category indigent defendants, differences exist in the type of defendant represented by the two attorneys, these differences must be controlled for by making comparisons only between similar groups of defendants. For example, it is possible that, in a given jurisdiction, the public defender serves proportionately more black indigent defendants than do private attorneys. This may not be a consequence of deliberate official action, however, if it appears that being black (or being female, or unemployed, etc.) in and of itself may influence case outcome, then this variable must be taken into account in the analysis.*

In practice, these five conditions placed on the comparison of case outcomes means that, before conducting the analysis, the evaluation must first examine the outcomes of all indigent defendants for evidence of differential effects due to the factors suggested above -- prior record, incarceration before trial, sex, ethnicity, even relative indigency. If any of these should show an association with case outcome, then, when the comparisons are made, the cases must be grouped to minimize the effect introduced by these prior variables. This may mean, for example, that the comparisons are carried out on the level of "black/female/no prior record/misdemeanor." This level of comparative detail may, in turn, mean that many case outcomes must be collected in order to provide enough cases in each category for meaningful comparisons. Sample sizes will, of course, depend upon the size of any difference in outcome the evaluation wishes to detect.

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* The PROMIS system provides a wealth of data about each case and its progression through the courts. Such potentially imporrant determinants of outcome as whether any stolen property was recovered, number of charges in defendant's record, number of witnesses, seriousness of any injury involved, relationships of defendant to victim, presence of exculpatory evidence, date of most recent prior conviction, and possible racial complications to the alleged offense are recorded by this system. To include many of the variables which could conceivably affect case outcomes apart from the type of representation afforded the defendant is almost impossible without such a system. With one, however, a statistician can explore the possible relationships among these variables not only to control for those which do have an effect, but to provide useful operational information to the defender agency.

If sufficient cases cannot be obtained within the categories suggested by the outcome analysis, then categories will have to be combined. This means, however,that the results of the comparisons must be accompanied by the caution that any differences which appear may be due to prior influencing factors and not to the quality of representation afforded by the two types of counsel. On the other hand, if the comparison groups are possibly biased against the defender agency but the results overcome that bias, the results have passed a conservative test.

For example, suppose that proportionately more black indigents are convicted than white indigents and that the set of public defender cases being compared contains proportionately more black defendants than the set of private attorney cases being compared. If the comparison shows the public defender to have obtained significantly more outcomes favorable to the defendant than the private attorneys have obtained, one could conclude that the quality of representation afforded by the defender is better than that afforded by the private attorney. If, however, the results of the comparison reflected no difference, or even a difference in favor of the private bar, it would not necessarily be correct to assume that the defender was no better than or even worse than the private attorney, since the defender worked with a group of defendants who were poorer risks on the outcome measures used.

6.2 Outcome Measures

The basic outcome measure of interest is case disposition -- dismissals or acquittals, findings of guilt on a lesser charge and convictions on the original charge. Other special cases should probably be excluded from analysis, such as hung jury or not guilty by reason of insanity. Whether the distinction is made only between conviction (including lesser charge) and non-conviction or between acquittal (including dismissal) and non-acquittal, is arbitrary, as along as it is made clear in the analysis and is not chosen on the basis of a distinction which will show more favorable outcomes for the public defender.

Beyond the results of adjudication, one might explore the possible differences between sentences handed down to defendants represented by public attorneys versus their privately represented counterparts. Here the measures would include the the length of sentence and the proportion of cases which fall

into the categories of probation, suspended sentence, and fine. Again, all comparisons would be carried out within the charge/prior record/background categories established at the outset.

Within offense categories, examining mean time to case disposition and whether the case was subsequently appealed, would provide information concerning other dimensions of the quality of representation. Moreover, apart from measures dealing with final case outcomes, a comparison of public and private bar performance in obtaining the pre-trial release of clients, may be relevant measures to consider where data are available.

6.3 The Conduct of the Analysis

The first thing one looks for in making the public vs. private comparisons is evidence that the outcomes are significantly different from a statistical point of view. That is, are the differences greater than those which would result from the chance variation which occurs from case to case? That fact that the comparisons have been made within categories which have been chosen so as to minimize the possibility of bias, means that the differences which emerge should be consistent across the categories, if there truly is a consistent difference in the quality of presentation afforded by the two types of counsel. Two kinds of results are possible: the outcomes either are statistically equivalent within some agreed-upon small interval,* or they are not.

> If the comparison of case outcomes shows that the results of trial are statistically equivalent for the two types of attorneys, then one should measure the hours of representation provided for a fixed unit cost** to obtain a measure of efficiency for the two types of representation. Again, such a comparison must consider equivalent types of cases.

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* For example, a defender may be satisfied to feel quite sure that the services' proportion of acquittals is no worse than 5% less than the private bar's proportion of acquittals.

** Care must be exercised in determining the appropriate cost basis for this comparison. In the District of Columbia, for instance, the Criminal Justice Act does not fully compensate

In the instance of consistently equivalent outcomes, we are justified in concluding that the public defender is as good as the private attorney; the question then becomes, Does the public defender afford more of this equivalent representation per dollar than the private attorney?

> If the case outcomes are not statistically equivalent, one can still measure the dollar cost per acquittal and/or dollar cost per non-jail disposition within selected case categories.

If public defender services appear to be achieving statistically fewer favorable outcomes for its clients, then their value is in doubt, independent of cost, unless public representation is so much less expensive than private representation that one is willing to accept fewer acquittals. If public defender services achieve statistically more favorable outcomes, one would still want to know at what cost, since that cost could be proportionately greater than the increase in favorable outcomes beyond that provided by private attorneys.

Finally, in comparing case outcomes, one should keep in mind that such a comparison does not necessarily indicate what the situation would be if the public defender system did not exist. Under those circumstances the private bar would have to assume the

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private attorneys for their time in providing representation. Moreover, there are some expense items which are not compensated under any circumstances (rent, secretarial assistance, etc.). Not only does the CJA fail to provide full compensation to private lawyers, but some Superior Court judges routinely reduce the expense vouchers submitted by attorneys. Appropriate adjustments to private attorney voucher amounts would clearly be necessary to reflect both of these circumstances. Adjustments to the operating costs of a public defender agency may also be required in cases where supportive services are provided to the private bar or where defender agency case costs reflect the provision of legal assistance in areas in which appointed attorneys are not called upon to enter. (Within PDS these include representation in juvenile PINS cases and mental health hearings involving involuntary civil commitments.)

entire burden of the defense which would invariably cause a deterioration in the quality of representation.

6.4 Costs

Public defenders can offer their services at widely varying costs per case. The D.C. Public Defender Service cost per case has consistently fallen between $253 and $257*. Clearly, what a jurisdiction has available to spend will vary widely. Some guidelines, however, can be developed from the outcome analysis outlined above. For example, if the defender is providing more favorable outcomes, but at a higher cost per case than the private bar, the argument could be made for the defender to increase its caseload. At first glance, this is not likely to be endorsed by the defender service itself. But such an outcome of analysis could validly suggest that the service could, in fact, accept more clients without a significant deterioration in representation. If the defender's outcomes are not as favorable as the private bar's, this may suggest either a lessening of caseload or an improvement in recruitment standards and training.

It should be pointed out, however, that one of the realities of providing legal services to the indigent may be that quality representation is not cheap given the types of defendants served. Ultimately, the defender deals in values -- the value to the public at large of a judicial system which operates fairly for all and the value of justice to every accused individual. These values cannot be reduced to dollars and, therefore, effectiveness and efficiency analyses have their clear limits when it comes to formulating basic policy.

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* In Fiscal Years 1971, 1972 and 1973, PDS closed 4,693, 6,394 and 8,846 cases respectively, with total obligations of $1,205,797 $1,[illegible],194 and $1,744,734. These figures yield an overall cost per case in each year of between $253 and $257. Tables in the Appendix present a breakdown of cases handled by type of court proceeding and a corresponding statement of obligations incurred during fiscal year 1973.

6.5 Client Perception of Services Rendered*

A legitimate concern of a public defender service is whether its clients perceive their services as helpful to their cause. And, beyond the immediate needs of the client, is the larger issue of the indigent community's perception of the criminal justice system as one in which they receive equal treatment and therefore one to which they can respond favorably. Unfortunately, attempts to measure client satisfaction are fraught with methodological difficulty. The emotional state of the client while he or she is receiving services is likely to be highly charged and fluctuating from one moment to the next, depending upon what the probable outcome appears to be at any one moment.

Asking a client for an evaluation of the defender's services while they are being rendered is therefore likely to be an unreliable measure of the client's satisfaction. For example, a client may be frightened and may be reassured not by technical expertise, but by the feeling that someone is on his side. This may mean that the client's perception of the efficacy of the services provided is essentially a function of the number of hours that the defender spends with him or her.

Time spent with the client explaining the process and the merits of the case is well spent, but, beyond a certain point, may take away from the time necessary to prepare his or her defense or the defense of other clients. Thus, the number of hours spent with a client may be an indicator to the client of the defender's concern, but may not have a direct relationship to the quality of the service provided in terms of the outcome of the case.

If, on the other hand, interviews occur after the case has been adjudicated, then the outcome of the case is quite likely to influence the client's perception of the quality of representation. This is not to say that no client can offer a considered opinion as to the services received: only that many factors may influence the client's judgement at any one point in time -- factors which bring a number of problems to any attempt to measure the defendant's "true" attitude. Nor is it

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* A research study dealing with the attitudes of inmates toward their lawyers has been published by the National Institute of Law Enforcement and Criminal Justice, LEAA: Casper, *Criminal Justice -- the Consumer's Perspective*, February 1972.

to say that client perceptions of the defender service are therefore irrelevant. What it does lead to is the suggestion that, ultimately, the clients' perception of the quality of the defender service and therefore of the fairness of the system will be a function of case outcomes. If these outcomes are as good as those available to any other system, then either the indigent clients will be satisfied with the defender service or they will retain a distrust of the system which is entrenched in a sense of alienation deeper than a defender service alone can redress.*

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*In July, 1973, field staff of the Washington Pretrial Justice Program of the American Friends Service Committee, interviewed 144 men and women officially detained in Washington, D.C. Considered in this survey were a number of questions concerning inmates' perceptions of their lawyers' work. At the request of the D.C. Public Defender Service the survey also included the following question: "If you could not hire your own lawyer, would you prefer to have a regular court appointed lawyer?. . . or a Public Defender Service lawyer?" According to this report, the responses indicated a clear preference for the Public Defender Service: Of 135 inmates with counsel assigned, 54.9% said they would prefer a PDS lawyer if they could not hire their own. (53 of the respondents had been represented by a PDS attorney; slightly more than half of this group were among those who expressed a greater preference for PDS attorneys.)

APPENDIX

Document	Page
Eligibility Questionnaire	50–A
Client Intake Form	51–A
New Cases Form	55–A
Workload Report and Case Cards	56–A
ORD Reports	69–A
PDS Cases Closed and Corresponding Costs for Fiscal Year 1973	79–A

ELIGIBILITY QUESTIONNAIRE

1. NAME: _____ DATE: _____
2. ADDRESS: _____
(Street) (City & State)
3. CHARGE: _____ 4. AGE: _____
5. MARITAL STATUS: Single: ____ Married: ____ Separated: ____
6. DEPENDENTS: Spouse: _____ Children: _____ Others: _____
7. EMPLOYMENT: Employed: _____ Unemployed: _____
Take Home Pay: Monthly: $_____ Weekly: $ _____
SPOUSE: Employed: _____ Unemployed: _____
Take Home Pay: Monthly: $_____ Weekly: $_____
8. OTHER INCOME (including spouse): Amount: $_____ Source: _____
9. CASH ON HAND OR IN BANK (including spouse): $_____
10. PROPERTY (including spouse): _____

I, the undersigned defendant, being duly sworn, depose and say that the facts contained herein are true.

Defendant: _____ Interviewer: _____ _____
Notary Public

[TO BE COMPLETED ONLY IF DEFENDANT IS UNDER 21 AND SINGLE]

11. Defendant lives with and/or is supported by parents or guardian: Yes ___ No ___
12. PARENTS OR GUARDIAN: Name and Relationship: _____
13. DEPENDENTS: Spouse: _____ Children: _____ Others: _____
14. EMPLOYMENT: Employed: _____ Unemployed: _____
Take Home Pay: Monthly: $_____ Weekly: $_____
SPOUSE: Employed: _____ Unemployed: _____
Take Home Pay: Monthly: $_____ Weekly: $_____
15. OTHER INCOME (including spouse): Amount: $_____ Source: _____
16. CASH ON HAND OR IN BANK (including spouse): $_____
17. PROPERTY (including spouse): _____

I, the undersigned parent or guardian, being duly sworn, depose and say that the facts contained herein are true.

Parent or Guardian: _____ Interviewer: _____
Notary Public

[TO BE COMPLETED WHERE NET INCOME AND ASSETS EXCEED MINIMUM LIVING ALLOWANCE]

RENT: _____ MORTGAGE: _____ OTHER DEBTS: _____

TOTAL MONTHLY PAYMENTS: _____

RECOMMENDATION: _____ Eligible, no contribution

_____ Eligible, contribution $_____

_____ Ineligible

50–A

ATTORNEY: | APTMT. DATE/TIME:

CLIENT'S LOCATION:

LOCK-UP # | CCB # | DCDC #

COURT # | DATE OF INTERVIEW:

PUBLIC DEFENDER SERVICE
FOR THE DISTRICT OF COLUMBIA
601 INDIANA AVENUE, N.W.
WASHINGTON, D.C. 20004
(202) 628-1200

CLIENT INFORMATION FORM (CIF)

FULL NAME OF CLIENT: LAST, MIDDLE | RACE | SEX | DATE OF BIRTH | AGE

CLIENT'S NICKNAME(S) | PLACE OF BIRTH

STREET ADDRESS | APT. NO. | TELEPHONE

LIVING WITH | HOW LONG? | D.C. RESIDENT FOR

LANDLORD | ADDRESS | PHONE | ID'S AVAILABLE: (DR. LIC., CREDIT CARDS, MILITARY, STUDENT, UNION, SOC., MED.)

FORMER ADDRESSES (WITH DATES)

LINE OF WORK | CURRENT EMPL. STATUS | MONTHS ON CURRENT JOB

LATEST JOB
EMPLOYER'S NAME | SUPERVISOR
ADDRESS | TELEPHONE | WILL TAKE BACK ☐ ☐ WILL COME TO COURT
JOB TITLE | EARNINGS/WAGES | DATES OF EMPLOYMENT

PRIOR JOB (from others not P.D.)
EMPLOYER'S NAME | SUPERVISOR
ADDRESS | TELEPHONE | WHY LEFT?
JOB TITLE | EARNINGS/WAGES | DATES OF EMPLOYMENT

PRIOR JOB (from others not P.D.)
EMPLOYER'S NAME | SUPERVISOR
ADDRESS | TELEPHONE | WHY LEFT?
JOB TITLE | EARNINGS/WAGES | DATES OF EMPLOYMENT

WELFARE | PER MONTH | CASE WORKER | PHONE NO. | IF Y, WILL FAMILY ? (OR CUSTODY?) YES ☐ NO ☐

EDUCATION | VOCATIONAL TRAINING

MILITARY: BRANCH | SERIAL # | HIGHEST RANK | DISCHARGE DATE | MEDALS | COURT MARTIALS | ☐ OVERSEAS ☐ COMBAT | TYPE DISCHARGE

FAMILY TIES IN D.C. CIRCLE CONTACT

SPOUSE	CEREMONY ☐ YES ☐ NO	ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
GIRL FRIEND	COMMON LAW ☐	ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
MOTHER		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
FATHER		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
SIBLINGS		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
SIBLINGS		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
SIBLINGS		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐
GRAND PARENT		ADDRESS	HOME PHONE	WORK PHONE	AT CT ☐

CHILDREN (AGES) | LIVING WITH

OTHERS (FRIENDS, CO-WORKERS, TEACHER, MINISTER)

PHYSICAL DESCRIPTION (INC. CLOTHES WHEN ARRESTED)

©BLACKSTONE ASSOCIATES, Washington, D.C.

Note: The Client Information Form is included here to show the general types of information solicited at intake. The specific form is in the process of being revised and simplified, and is not currently in use.

(Client Information Form p.2)

NOTES ON INITIAL HEARING	DATE OF INITIAL HEARING
	JUDGE
	AUSA PHONE
	NEXT DATE FOR

LOCATION OF INCIDENT	DATE OF INCIDENT	DATE OF ARREST
TIME WEATHER/LIGHTING		

ARRESTING OFFICER(s) ☐ FOOT ☐ CAR	CO-DEFENDENT/ATTY	CCN#	CHARGES	STATEMENT
				☐
				☐
HOSPITAL TIME OF ARRIVAL				☐

WHAT DID YOU TELL THE COPS? DO POLICE CLAIM THEY HAVE ANY EVIDENCE?	☐ SIGNED RIGHTS CARD ☐ WERE COLOR SLIDES TAKEN
	☐ SEARCH OF ARR. PREMISES SUPPRESSABLE
MONEY WHEN ARRESTED $	☐ GAVE WRITTEN STATEMENT ☐ PROP. RECOVERED IN SEARCH

COMPLAINANT'S NAME	LIVING WITH	
ADDRESS	APT#	PHONE
PHYSICAL DESCRIPTION		

WITNESSES: (WHETHER RECORD)	
	RECORD ☐
	RECORD ☐
	RECORD ☐
	RECORD ☐
	RECORD ☐
	RECORD ☐

NARRATIVE

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Note: The Client Information Form is included here to show the general types of information solicited at intake. The specific form is in the process of being revised and simplified, and is not currently in use.

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(Client Information Form p.3)

3

PRIOR JOB	EMPLOYER'S NAME		SUPERVISOR	
	ADDRESS	TELEPHONE		WHY LEFT?
	JOB TITLE	EARNINGS/WAGES	DATES OF EMPLOYMENT	
PRIOR JOB	EMPLOYER'S NAME		SUPERVISOR	
	ADDRESS	TELEPHONE		WHY LEFT?
	JOB TITLE	EARNINGS/WAGES	DATES OF EMPLOYMENT	

NOTES ON ASSIGNMENTS:

ASSIGNMENTS

	ASSIGNED TO	DONE BY	DATE	RET'D
☐ P.D. 251				
☐ Client's Arrest Record				
☐ Complainant's Arrest Record				
☐ Witnesses' Arrest Records				
☐ Hospital Records – Which?				
☐ Prison Records – Which?				
☐ Radio Run Date Time Car				
☐ NTA Report and Records				
☐				
☐				
☐				

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Note: The Client Information Form is included here to show the general types of information solicited at intake. The specific form is in the process of being revised and simplified, and is not currently in use.

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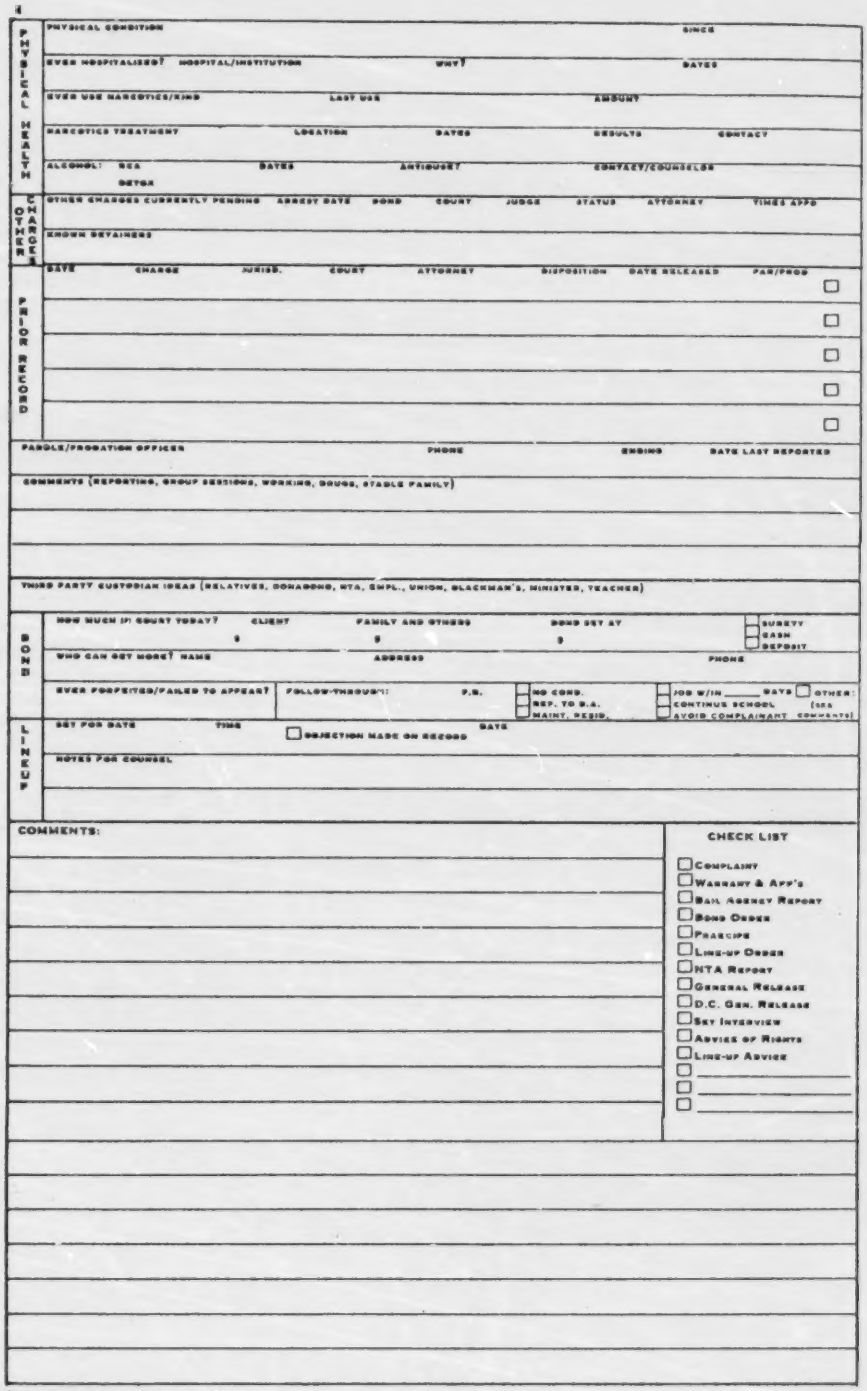

PHYSICAL HEALTH

PHYSICAL CONDITION — SINCE

EVER HOSPITALIZED? — HOSPITAL/INSTITUTION — WHY? — DATES

EVER USE NARCOTICS/KIND — LAST USE — AMOUNT

NARCOTICS TREATMENT — LOCATION — DATES — RESULTS — CONTACT

ALCOHOL? — AA — DATES — ANTABUSE? — CONTACT/COUNSELOR

DETOX

OTHER CHARGES

OTHER CHARGES CURRENTLY PENDING — ARREST DATE — BOND — COURT — JUDGE — STATUS — ATTORNEY — TIMES APPD

KNOWN DETAINERS

PRIOR RECORD

DATE	CHARGE	JURISD.	COURT	ATTORNEY	DISPOSITION	DATE RELEASED	PAR/PROB
							☐
							☐
							☐
							☐
							☐

PAROLE/PROBATION OFFICER — PHONE — ENDING — DATE LAST REPORTED

COMMENTS (REPORTING, GROUP SESSIONS, WORKING, DRUGS, STABLE FAMILY)

THIRD PARTY CUSTODIAN IDEAS (RELATIVES, DONAHOO, NTA, EMPL., UNION, BLACKMAN'S, MINISTER, TEACHER)

BOND

HOW MUCH IF COURT TODAY? — CLIENT $ — FAMILY AND OTHERS $ — BOND SET AT $ — ☐ SURETY ☐ CASH ☐ DEPOSIT

WHO CAN GET MORE? NAME — ADDRESS — PHONE

EVER FORFEITED/FAILED TO APPEAR? — FOLLOW-THROUGH?: P.R. — ☐ NO COND. ☐ REP. TO D.A. ☐ MAINT. RESID. — ☐ JOB W/IN ____ DAYS ☐ CONTINUE SCHOOL ☐ AVOID COMPLAINANT ☐ OTHER: (SEE COMMENTS)

LINEUP

SET FOR DATE — TIME — DATE — ☐ OBJECTION MADE ON RECORD

NOTES FOR COUNSEL

COMMENTS:

CHECK LIST

- ☐ COMPLAINT
- ☐ WARRANT & APP'S
- ☐ BAIL AGENCY REPORT
- ☐ BOND ORDER
- ☐ PRAECIPE
- ☐ LINE-UP ORDER
- ☐ NTA REPORT
- ☐ GENERAL RELEASE
- ☐ D.C. GEN. RELEASE
- ☐ SKY INTERVIEW
- ☐ ADVICE OF RIGHTS
- ☐ LINE-UP ADVICE
- ☐ _____
- ☐ _____
- ☐ _____

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Note: The Client Information Form is included here to show the general types of information solicited at intake. The specific form is in the process of being revised and simplified, and is not currently in use.

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New Cases Form

Day of the week _____

Name _____ Date _____

If not a single new case was received or new action begun on this date: **check this box** ☐

If new case(s) were received or new actions begun on this date, please list below:

	CLIENT'S Name (list last name first)	COURT (e.g., Super. Ct.—Fam. Div., Dist. Ct., Magistrates, etc.)	TYPE OF ACTION (e.g., misdemeanor, felony, delinquency, habeas corpus, probation revocation, etc.)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

INSTRUCTIONS:

This form is to be completed for each day of the week, Monday through Friday. New criminal or Family Division cases received in Superior Court on Saturdays should be listed on a separate form for the Saturday in question.

The client's name, court and type of action should be entered on this form whenever a case card will also require completion. Examples: (a) all work on a case is completed on the same day of its assignment—it should nevertheless be listed on this form as a case card will have to be filled out; (b) a felony case either at the Magistrates or Superior Court is reduced to a misdemeanor to be handled in Superior Court, thereby requiring completion of a Superior Court Misdemeanor Case Card—it should be listed on this form on the day of its reduction to a misdemeanor; (c) in conjunction with a felony case a habeas corpus action is commenced—it should be listed on this form on the day of its filing.

If two PDS attorneys plan to work as co-counsel on a given case, only the principal attorney should enter the case on this form: the assisting attorney should not make any entry at all. The principal attorney is also responsible for filling out a case card upon completion of the case.

The Workload Report Form consists of two pages. Instructions are contained on the reverse sides of pages 1 and 2. **Do not complete page 1 with page 2 underneath, because anything written on the first page will come through on the second. Do not detach any of the copies.** Please use a ballpoint pen.

PUBLIC DEFENDER SERVICE

Workload Report

Name _____

Date This Report Due _____

Return All Copies of Form to _____

Date This Report Completed _____

I. **All Co-Counsel Cases** (i.e., all cases in which you are assisting another attorney—PDS or otherwise—or he is assisting you; the co-counsel cases included here are **not** to be counted anywhere else in this report form)

Type Proceeding and Client's Last Name	Court	Status—Describe Briefly	Name of Other Attorney
Sample: Smith—Felony	Superior Court	Pending Trial	Douglas Jones

II. **Miscellaneous Activity***

Type Proceeding and Client's Last Name	Court	Status—Describe Briefly
Sample: Smith—Appeal	C.A.D.C.	Pending Oral Argument

III. **Pending Trials and ORD Referrals**

List below all cases set for jury trials during the next 30 days which are **likely** to be tried. This will sometimes require a rather subjective judgment, but err on the side of listing cases thus giving the word "likely" a liberal construction.

Client's Name	Charge(s)	Court	Judge	Trial Date

List number of referrals to Offender Rehabilitation Division during the past month: _____

IV. **United States Magistrate Cases***

Total Pending Cases _____

* See instructions on reverse side.

Instructions for Section II—Miscellaneous Activity

The following types of cases and proceedings are to be listed in the "Miscellaneous Activity" section of the report form:

1. Probation revocation
2. Parole revocation
3. Conditional release
4. Unconditional release
5. 28 U.S.C. §2255
6. 23 D.C.C. §110 (this provision is the District of Columbia corollary to §2255 enacted in the 1970 D.C. Crime Bill)
7. Appeals
8. Interlocutory appeals
9. Contempt proceedings
10. Interstate Compact cases (Family Division only)
11. Attachments (Family Division only)
12. Habeas corpus
13. Mandamus
14. Prohibition
15. Declaratory judgment
16. Extradition
17. NARA-Title III
18. Expungement motion (only where a completed case card previously has been turned in thus indicating that all other work on the case is finished)
19. Revocation or modification of dispositional orders (Family Division cases where a completed case card has been filed)
20. Sentencing representation (applies to adult and juvenile cases where other counsel represented client prior to sentencing)
21. Mental Health Commission—involuntary civil commitment
22. "Other" proceedings (applies to all other cases not listed above and not contained in subsequent sections of this report form)

Please note: Since these forms are sometimes used to report the number of "open" agency cases, do not list cases and proceedings here unless there is actually something pending in court. Thus, even if a matter is under active consideration, the subject of research, etc., it still should not be listed on this form.

Some of the matters listed above will not be the subject of misdemeanor, felony or Family Division cases (e.g., NARA-Title III proceedings—No. 17). Other cases may be the subject of past prosecutions where all work is completed and the case now closed except for the "miscellaneous activity" specified here (e.g., a felony case where you are now handling the appeal—No. 7). Still other cases listed here may simultaneously be pending in the courts as an "active" felony, misdemeanor or family division case, and will also be counted elsewhere in this report as a case (e.g., a pending felony where a habeas corpus has been filed—No. 12).

Instructions for Section IV—United States Magistrate Cases

After a defendant is held for the grand jury a Magistrate case normally is considered "closed", and should not be counted below as a "pending" case. There is one basic exception to this general rule: if you don't plan to remain with the case in District Court after conclusion of the Magistrate proceedings but are engaged or contemplate additional work on the case prior to grand jury indictment (e.g., negotiation aimed at achieving a disposition, bail review motions, etc.), you should consider the case "pending". In the event your appointment to the case in District Court continues following representation before the Magistrate, you should open up a District Court felony card and include the case in Section V of this report form (unless you have a co-counsel, in which instance it would be listed in Section I).

Name

Date This Report Due

V. District Court Felonies[1] and Superior Court Felonies and Misdemeanors*

	Dist. Ct. Felonies	Super. Ct. Felonies	Super. Ct. Misdemeanors
Pending preliminary hearing	XXXXXX		XXXXXX
Pending indictment			XXXXXX
Pending arraignment			
Pending reduction to misdemeanor(s) without a guilty plea arrangement[2]	XXXXXX		XXXXXX
Pending dismissal of all charges by Government			
Pending hearing on motion(s) likely to be dispositive of case			
Pending guilty plea to one or more charges			
Pending sentence			
Defendant a fugitive			
Defendant undergoing mental examination			
Incompetent to stand trial			
Pending uncontested NGI			
Pending judge trial			
Pending jury trial			
Pending jury trial with contested insanity defense			
Pending disposition of post-trial motion(s) (e.g., motion for a new trial, reduction of sentence, NOV, bond pending appeal, etc.)			
Pending **Bolton** v. **Harris**-type hearing (D.C. Crime Bill, §24-301(d)(2))			
None of the above[3]			
Total Cases			

[1] This section is not intended to include cases before United States Magistrates. See Section IV, **supra.**

[2] If the reduction to misdemeanor(s) is for the purpose of entering a guilty plea, then the "Pending guilty plea to one or more charges" category should be used. In other words, this category applies only where there is not an agreed upon disposition at the time of reduction.

[3] **For all cases listed in this "None of the above" category, indicate below its exact status and defendant's name:**

VI. Family Division Cases*

	Number of Delinquency Cases	Number in Need of Supervision Cases
Pending probable cause hearing		
Pending waiver hearing		
Pending dismissal (or closing without a finding)		
Pending entry of consent decree		
Pending hearing on motion(s) likely to be dispositive of case		
Pending guilty plea		
Pending disposition hearing		
Respondent absconded		
Respondent undergoing mental examination		
Incompetent to stand trial		
Pending judge trial		
Pending jury trial		
Pending disposition of post-trial motion(s) (e.g., motion for a new trial, review of disposition, etc.)		
None of the above[1]		
Total Cases		

[1] **For all cases listed in this "None of the above" category, indicate below its exact status and defendant's name:**

* **See instructions on reverse side.**

Instructions for Sections V and VI—District Court Felonies and Superior Court Felonies and Misdemeanors; Family Division Cases

For each open case indicate from the lists given **the single most appropriate description of its status.** In some instances you obviously may be required to make a rather subjective appraisal (e.g., where you must choose between classifying a case as "pending guilty plea to one or more charges" or "pending jury trial"). You are asked to do the best you can in labeling the current status of each case.

Only the number of cases which fall into the various categories are to be listed. Names of cases are not to be included except when you have listed cases in the "None of the Above" category.

Normally, a "case" is all the charges against a single person arising out of a single transaction. Thus, where a client is charged with independent multiple offenses, the charges should be treated as separate cases. This is true even though the result in one case will, as a practical matter, very likely be dispositive of all other charges (e.g., in the family division where a disposition on one charge will cause the court to close the other cases without a finding). Similarly, if multiple charges against a single person are subject to possible joinder but are treated separately by the court, they should be treated as separate cases on this report form. Where charges arising out of the same transaction, however, are joined for trial, they should be treated as a single case.

SUPERIOR COURT MISDEMEANOR CASE CARD

Client | Attorney

Court Nos. | Date Case Assigned | Date Case Closed

Please Follow Instructions Explained In Footnotes Below

CHARGES[1]	Maximum Penalty Permitted by Law[2]	Dispositions						Trial								Sentence								
								Judge:								Judge:								
										Result														
												Acquittal			Mistrial									
		Appointment Terminated[3]	Dismissed	Guilty Plea—Referral From Magistrates Solely for Plea[4]	Guilty Plea—Reduced From Sup. Ct. Felony Solely for Plea[4]	Guilty Plea	Other	Judge	Jury	Guilty	JNOV	Not Guilty	NGRI	MJOA	Hung Jury[5]	Other	Prison	YCA	Prison Split Sentence	Prison Work Release	NARA Title II	Probation (ESS)	Probation (ISS)	Fine/Restitution Only	Other

[1] List on separate lines each different criminal offense charged. However, if there are multiple charges of the same offense (e.g., 5 counts of robbery) and each receives the *identical* disposition, you can indicate the number of counts beside the charge thus using only one line. If the defendant pleads guilty to different offense(s) from ones originally charged, the offense(s) to which the plea was entered must be listed and dispositions shown for all charges. Also, if a jury convicts on a lesser included offense it, too, must be recorded.

[2] This information is to be supplied for every charge regardless of disposition. The maximum penalty permitted refers to the largest amount of time a first offender could receive; you should ignore in this connection the possibility that the defendant may be faced with the Youth Corrections Act, subject to back-up time, etc.

[3] This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed only by the new attorney.

[4] This category should be used only where a guilty plea was pre-arranged upon referral from the Magistrates or at the time of reduction to a misdemeanor. If a guilty plea is entered which was *not* pre-arranged at the time of referral from the Magistrates or reduction to a misdemeanor in Superior Court, the "Guilty Plea" category (see next column) should be used.

[5] If a guilty plea is entered following a hung jury or other mistrial, the offense to which the plea is entered and the fact of the plea should be recorded on a new card. Similarly, if after a hung jury or other mistrial the case is retried, a new case card should be completed on which the results of the second trial are reported.

Please Complete Reverse Side

See page 63–A for reverse side.

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SUPERIOR COURT FELONY CASE CARD

Client | Attorney

Criminal Nos. | Date Case Assigned | Date Case Closed

Please Follow Instructions Explained In Footnotes Below

CHARGES [1]	Maximum Penalty Permitted by Law [2]	Dispositions				Trial									Sentence								
						Judge:									Judge:								
								Result															
										Acquittal			Mistrial										
		Appointment Terminated [3]	Dismissed	Guilty Plea [4]	Other	Judge	Jury	Guilty	JNOV	Not Guilty	NGRI	MJOA	Hung Jury [5]	Other	Prison	YCA	Prison Split Sentence	Prison Work Release	NARA Title II	Probation (ESS)	Probation (ISS)	Fine/Restitution Only	Other

[1] List on separate lines each different count (offense) in the indictment. However, if there are multiple charges of the same offense (e.g., 5 counts of robbery) and each receives the *identical* disposition, you can indicate the number of counts beside the charge thus using only one line. If the defendant pleads guilty to different offense(s) from ones originally charged, the offense(s) to which the plea was entered must be listed and dispositions shown for all charges. Also, if a jury convicts on a lesser included offense it, too, must be listed.

[2] This information is to be supplied for every charge regardless of disposition. The maximum penalty permitted refers to the largest amount of time a first offender could receive; the possibility that the defendant may be a second or third offender, or on parole faced with back-up time, etc., should be ignored.

[3] This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed only by the new attorney.

[4] Please make certain that for every guilty plea entered there is a corresponding "Sentence" category checked.

[5] If a guilty plea is entered following a hung jury or other mistrial, the offense to which the plea is entered and the fact of the plea should be recorded on a new card. Similarly, if after a hung jury or other mistrial the case is retried, a new case card should be completed on which the results of the second trial are reported.

Please Complete Reverse Side

See page 63–A for reverse side.

DISTRICT COURT FELONY CASE CARD

Client | Attorney

Criminal Nos. | Date Case Assigned | Date Case Closed

Please Follow Instructions Explained In Footnotes Below

CHARGES 1/	Maximum Penalty Permitted by Law 2/	Dispositions				Trial								Sentence								
		Appointment Terminated 3/	Dismissed	Guilty Plea 4/	Other	Judge:								Judge:								
						Judge	Jury	Result						Prison	YCA	Prison Split Sentence	Prison Work Release	NARA Title II	Probation (ESS)	Probation (ISS)	Fine/Restitution Only	Other
								Guilty	JNOV	Acquittal			Mistrial									
										Not Guilty	NGRI	MJOA	Hung Jury 5/	Other								

1/ List on separate lines each different count (offense) in the indictment. However, if there are multiple charges of the same offense (e.g., 5 counts of robbery) and each receives the *identical* disposition, you can indicate the number of counts beside the charge thus using only one line. If the defendant pleads guilty to different offense(s) from ones originally charged, the offense(s) to which the plea was entered must be listed and dispositions shown for all charges. Also, if a jury convicts on a lesser included offense it, too, must be listed.

2/ This information is to be supplied for every charge regardless of disposition. The maximum penalty permitted refers to the largest amount of time a first offender could receive; the possibility that the defendant may be a second or third offender, or on parole faced with back-up time, etc., should be ignored.

3/ This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed only by the new attorney.

4/ Please make certain that for every guilty plea entered there is a corresponding "Sentence" category checked.

5/ If a guilty plea is entered following a hung jury or other mistrial, the offense to which the plea is entered and the fact of the plea should be recorded on a new card. Similarly, if after a hung jury or other mistrial the case is retried, a new case card should be completed on which the results of the second trial are reported.

Please Complete Reverse Side

BEST COPY AVAILABLE

See page 63–A for reverse side.

Printed below is the reverse side of the Superior Court Misdemeanor Case Card, Superior Court Felony Case Card, and District Court Felony Case Card. This form is not currently used by PDS attorneys who have found it more useful to maintain sentence records by specific judges.

BEST COPY AVAILABLE

SECTION I

Representation By Non PDS Attorneys

Prior to the completion of work on this case, was the defendant represented at any time on the present charge(s) by a non PDS attorney? ☐ Yes ☐ No

If the answer is "Yes", the questions in Section III and V on "Time Required for Disposition of Case" and "Bail Information" should not be answered; otherwise these two sections should be fully completed although another PDS attorney may have represented the client after his arrest and prior to your appointment. Sections I, II and IV should be completed for all cases regardless of whether representation may have been furnished at some point by a non PDS attorney.

SECTION II

Continuances

Include all "continuances" granted for scheduled court dates whether for trial, motions, sentencing, etc. during the time you were counsel of record.

	Number
Continuance requested by defense	
Continuance requested by Government	
Continuance requested by court	
Mutual and/or other continuances not clearly attributable solely to court, Government, or defense	
Total Continuances	

SECTION III

Time Required For Disposition Of Case

List the *day*, *month* and *year* for:

1. Arrest date on this charge or date this charge was lodged:	(month)	(day)	(year)
2. Whichever is earlier of the following dates: date of dismissal of all charges *or* date on which defendant was found or pleaded guilty to one or more charges *or* date defendant was found not guilty or jury was hung or a mistrial declared	(month)	(day)	(year)
3. Sentencing date (if applicable)	(month)	(day)	(year)

SECTION V

Bail Information – Part One

1. Date of defendant's arrest on this charge or date this charge was lodged: _____
2. Date of first appearance before judge or magistrate: _____
3. If defendant released at any time while this charge was pending, date of release: _____
4. If defendant *not* released within three days of initial appearance, was *written* Application for Review of Conditions of Release filed? Yes ☐ No ☐
   4(a). If "Yes", date application filed: _____
5. Was any further relief sought? Yes ☐ No ☐
6. Date(s) application(s) filed: _____
7. Court(s) where application(s) filed: _____
8. If the answer to questions 4 or 5 was "No", please explain why nothing was filed: _____
9. Was pretrial detention pursuant to §§23-1322 or 1323 sought by the Government or the court and with what result? [In answering this question please include as "pretrial detention" any periods of time for which the defendant was temporarily detained for 3 or 5 day periods pursuant to §23-1322(c) (3), (e), or §23-1323(a)].

Bail Information – Part Two

1. Dates during which defendant was in custody prior to conviction, acquittal or dismissal of this charge: e.g., June 1-July 15
2. Number of weeks[1/] defendant at liberty after arrest and prior to conviction, acquittal or dismissal of this charge: _____
3. Number of weeks[1/] defendant in custody after arrest and prior to conviction, acquittal or dismissal of this charge: _____
4. Number of weeks[1/] defendant in custody because of pretrial detention, other pending cases, mental examination, parole revocation, etc.: _____
5. Number of weeks[1/] in custody after arrest and prior to conviction, acquittal or dismissal, where custody due solely to failure to obtain release on this charge (No. 3 minus No. 4): _____

[1/] "weeks" should be rounded off so that any period of detention of four or more days but less than seven should be counted as a week. Conversely, three days or less should not be counted at all.

SECTION IV

Results On Motions

	Written Motion	Oral Motion	Granted	Denied	Granted In Part – – Denied in Part	Withdrawn, Not Pressed, Etc.	Other
Motion to dismiss indictment or information							
Motion for discovery/grand jury minutes							
Motion to supress identification							
Motion to suppress physical or other evidence							
Motion for mental examination							
Motion to sever defendants							
Motion to sever counts							
Motion for judgment of acquittal							
Motion for new trial or NOV							
Motion to expunge record							
Motion to reduce sentence							

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FAMILY DIVISION CASE CARD

Client | Attorney

Court Nos. | Date Case Assigned | Date Case Closed

Please Follow Instructions Explained In Footnotes Below

	Maximum Penalty Permitted by Law if Adult 2/	Representation at Detention Hearing and/or Initial Hearing Only 3/	Attachment Representation Only 3/	Interstate Compact Representation Only 3/	Dispositions: Appointment Terminated 4/	Dispositions: Waived for Trial as Adult	Dispositions: Consent Decree 5/	Dispositions: Closed Without a Finding	Dispositions: Dismissed	Dispositions: Guilty Plea 6/	Dispositions: Other	Trial: Judge: Judge	Trial: Judge: Jury	Trial: Result: Guilty	Trial: Result: JNOV	Trial: Result: Acquittal: Not Guilty	Trial: Result: Acquittal: MJOA	Trial: Result: Mistrial: Hung Jury 7/	Trial: Result: Mistrial: Other	Sentence: Judge: No Sanction	Sentence: Judge: Probation	Sentence: Judge: Suspended Commitment Probation	Sentence: Judge: Committed	Sentence: Judge: Fine/Restitution Only	Sentence: Judge: Civil Commitment	Sentence: Judge: Other
DELINQUENCY CHARGES 1/																										
IN NEED OF SUPERVISION CHARGES 1/																										

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20

1/ List on separate lines each different offense charged. However, if there are multiple charges of the same offense (e.g., 5 counts of robbery) and each receives the *identical* disposition, you can indicate the number of counts beside the charge thus using only one line.

2/ This information is to be completed for every charge regardless of disposition.

3/ If this category is appropriate, do *not* attempt to supply a disposition. Where representation is limited to the detention hearing and/or initial hearing, attachments or interstate compact proceedings, the only records kept will be of the total number of such cases handled.

4/ This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed only by the new attorney.

5/ The consent decree is deemed a final disposition and a Family Division Case Card therefore must be completed. If the case is later reactivated on the merits, it should be treated as brand new and another Family Division Case Card turned in at its conclusion.

6/ Please make certain that for every guilty plea entered there is a corresponding "Sentence" category checked.

7/ If a guilty plea is entered following a hung jury or other mistrial, the offense to which the plea is entered and the fact of the plea should be recorded on a new card. Similarly, if after a hung jury or other mistrial the case is retried, a new case card should be completed on which the results of the second trial are reported.

SUPERIOR COURT PRELIMINARY HEARING CASE CARD

Client

Attorney

Court Nos.

Date Case Assigned

Date Case Closed

Please Follow Instructions
Explained In Footnotes Below

CHARGES[1]	Appointment Terminated[2]	Held for Grand Jury[3]	Dismissed (No Indictment)	Misdemeanor Treatment[4]	Guilty Plea to Felony – No Grand Jury Indictment	Other

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[1] List on separate lines each different criminal offense charged. If the defendant pleads guilty to a felony and waives grand jury indictment, please be certain to list on this card the offense(s) to which the plea was entered and indicate the disposition (e.g., dismissed) for any remaining charges.

[2] This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed only by the new attorney.

[3] If the case is indicted and representation continues, a "Superior Court Felony Case Card" must be filed upon completion of the case.

[4] This category includes all cases reduced to misdemeanors prior to being held for the grand jury, regardless of whether a guilty plea is pre-arranged at the time of reduction. In the event of this disposition, a "Superior Court Misdemeanor Case Card" is to be filed on the case at its conclusion by the PDS attorney who handles it. It is not necessary with this category to also check the "Dismissed" section, although cases referred for misdemeanor treatment will obviously be dismissed.

MAGISTRATE CASE CARD

Client | Attorney

Court Nos. | Date Case Assigned | Date Case Closed

Please Follow Instructions Explained In Footnotes Below

CHARGES[1]	Appointment Terminated[2]	Held for Grand Jury	Dismissed – Referred to Superior Court for Extradition[4]	Dismissed	Misdemeanor Treatment in Superior Court[4]	Removed Pursuant to Rule 40	Guilty Plea Pursuant to Rule 20	Guilty Plea to Felony – No Grand Jury Indictment	Guilty Plea to Misdemeanor – No Grand Jury Indictment	Other

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[1] List on separate lines each different criminal offense charged. If the defendant pleads guilty to either a misdemeanor or felony and waives grand jury indictment, please be certain to list on this card the offense(s) to which the plea was entered and indicate the disposition (e.g., dismissed) for any remaining charges.

[2] This category should be used whenever before disposition your assignment to the case is terminated whether due to appointment of new counsel, the presence of retained counsel, etc. But if another PDS attorney is substituted in your behalf, then a card should be completed *only* by the new attorney.

[3] If the case is represented in Superior Court by a PDS attorney, a Trial Actions Case Card must be completed.

[4] In the event of this disposition, a Superior Court Misdemeanor Case Card is to be filed on the case by the attorney who handles it in Superior Court. This category includes all cases referred to Superior Court to be handled as misdemeanors regardless of whether a guilty plea was pre-arranged. It is not necessary with this category to also check the "Dismissed" section, although cases referred for misdemeanor treatment will obviously be dismissed.

APPEAL CASE CARD

Client	Attorney
Court Nos.	Date Case Assigned / Date Case Closed

BE CERTAIN TO CHECK BOTH THE "TYPE CASE IN WHICH APPEAL TAKEN" AND THE "DISPOSITION" →

WAS THERE A CO-COUNSEL OF RECORD OUTSIDE OF PDS ON THE APPEAL SPECIFIED BELOW? ☐ YES ☐ NO

Nature of Action	Specify Appellate Court (USCA, DCCA or Supreme Court)[4/]	Type Case in Which Appeal Taken									Dispositions					
		Bail Conditions – Adults[5/]	Criminal[6/]	Juvenile – Family Division[7/]	Declaratory Judgment	Habeas Corpus	Mandamus	Prohibition	Civil Commitment	Other	Affirmed or Granted	Reversed or Denied	Affirmed or granted in part and reversed or denied in part	Remanded for further proceedings[8/]	Dismissed	Other
Appeal by PDS (or appeal which PDS has agreed to handle)																
Appeal by Government																
Interlocutory Appeal by PDS[1/]																
Interlocutory Appeal by Government[2/]																
Amicus Curiae by PDS																
Mandamus – Original Action in Appellate Court[3/]																
Prohibition – Original Action in Appellate Court[3/]																

1/ Includes appeals pursuant to 16 D.C.C. § 2327 concerning juveniles, appeals from denials of temporary restraining orders, preliminary injunctions, etc.

2/ Includes appeals by the Government pursuant to 23 D.C.C. § 104 permitting pretrial appeals and emergency appeals during trial.

3/ These categories should be used only for original actions in the appellate courts. (If the mandamus or prohibition was begun in a trial court, the case initially should be recorded on the Trial Actions Case Card. An appeal in the case should be entered in the "Appeal by PDS" or "Appeal by Government" categories, with the "Mandamus" or "Prohibition" sections of the "Type Case in Which Appeal Taken" category checked accordingly.)

4/ A petition for certiorari or appeal to the United States Supreme Court should be the subject of a separate Appeal Case Card.

5/ This section should be checked for all appeals involving bail, conditions of release or pretrial detention. The next category to the right – "Criminal" – should be used for all other appeals directly involving criminal cases. Appeals involving conditions of release affecting juveniles in the Family Division should be entered in the "Juvenile – Family Division" section – two columns to the right.

6/ This section should be checked for all appeals in criminal and quasi-criminal cases, other than those involving bail conditions. Thus, appeals from the denial of relief in collateral attack cases, probation and parole revocation, contempt convictions, etc. should be included.

7/ This section should be checked for *all* appeals concerning the cases of juveniles originating in the Family Division.

8/ Proceedings on remand should be treated as a new case and a new Trial Actions Case Card completed. An appeal from a trial court's ruling on remand is to be treated as a new appeal and a new Appeal Case Card completed.

Note: The Appeal Case Card is not currently in use by PDS as the agency's centralized Appellate Section has eliminated the necessity for this particular monitoring form.

TRIAL ACTIONS CASE CARD*

Client	Attorney
Case Nos.	Type Proceeding Specify No. _____
Date Work Begun, Case Assigned, Etc.	Date Case Closed

☐ 1.	Advice to witnesses on 5th Amendment rights	☐ District Court ☐ Superior Court ☐ Family Division
☐ 2.	Civil commitment	☐ Mental Health Commission ☐ District Court ☐ Superior Court
☐ 3.	Conditional or unconditional release from mental hospital	☐ District Court ☐ Superior Court
☐ 4.	Contempt	☐ District Court ☐ Superior Court
☐ 5.	Declaratory judgment[1/]	☐ District Court ☐ Superior Court
☐ 6.	Expungement motions or sealing of records[2/]	☐ District Court ☐ Superior Court ☐ Family Division
☐ 7.	Extradition	☐ Superior Court
☐ 8.	Habeas corpus	☐ District Court ☐ Superior Court
☐ 9.	Mandamus	☐ District Court ☐ Superior Court
☐ 10.	NARA Title III	☐ District Court ☐ Superior Court
☐ 11.	Parole revocation	☐ U.S. Board of Parole ☐ D.C. Board of Parole
☐ 12.	Precinct representation	☐ Metropolitan Police Department
☐ 13.	Probation revocation	☐ District Court ☐ Superior Court
☐ 14.	Prohibition	☐ District Court ☐ Superior Court
☐ 15.	Revocation or modification of Family Division dispositional orders[3/]	☐ Family Division
☐ 16.	Sentencing and related representation (e.g., motions for reduction of sentence)[4/]	☐ District Court ☐ Superior Court ☐ Family Division
☐ 17.	28 U.S.C. §2255 – collateral attack	☐ District Court
☐ 18.	23 D.C.C. §110 – collateral attack	☐ Superior Court
☐ 19.	Other proceedings[5/]	☐ District Court ☐ Superior Court ☐ Family Division

BRIEF DESCRIPTION AND RESULT OF PROCEEDING: _____

*/ This card is to be used for various activities *at the trial level* which are not covered on other case cards. It also includes three types of activities which are "beneath" the trial level – Mental Health Commission proceedings, parole revocation hearings and precinct representation. If any of the actions listed on this card are appealed, an Appeal Case Card must be completed. If a case covered on this card is remanded for further proceedings following an appeal, it should be treated as a new case and a new Trial Actions Case Card completed. Mandamus and prohibition actions commenced in trial courts are to be recorded on this card; if such actions are appealed or commenced in an appellate court, the Appeal Case Card must be used.

1/ This includes suits for temporary, preliminary and permanent injunctions.

2/ This section should be used *only* where all work on the case has otherwise been concluded and a completed case card filed. Sealing of records applies to cases in the Family Division (16 D.C.C. §2334) and expungement motions apply to adult criminal cases.

3/ This section should be used where a completed Family Division case card previously has been filed. It is intended to include hearings on consent decrees which do not result in the case being reactivated on the merits. In the event a hearing on a consent decree were to result in the case being reactivated, a new Family Division Case Card must be filed at its conclusion.

4/ This section applies to adult or Family Division cases where counsel outside of PDS represented the client prior to sentencing.

5/ This section applies to all other cases of proceedings not otherwise listed on this card nor required to be reported on other case cards.

Copy of Cover Sheet Used in Connection With Offender Rehabilitation Division Reports on Defendants

PUBLIC DEFENDER SERVICE
FOR THE DISTRICT OF COLUMBIA
601 INDIANA AVENUE, N.W.
WASHINGTON, D.C. 20004

A REPORT FROM THE
OFFENDER REHABILITATION DIVISION

Date of Report:

Name of Client:

Defense Attorney:

Offender Rehabilitation
Staff Member:

Sentencing Judge:

A Note About ORD
and the Attached Report

The aim of the Offender Rehabilitation Division is to offer people a range of social work services which will make future involvement in the criminal process less likely. Ideally, ORD enters a case soon after arrest by referral from the defense lawyer, aiding him in obtaining the client's pre-trial release by locating a job, a place to live or other services. While the case is pending the social worker continues to deal with the client in tandem with the lawyer, arranging for psychiatric or family counseling, narcotics treatment or whatever else is indicated. The social worker's stance is, however, independent, motivated by separate professional concerns, and not dictated by the defense lawyer.

In cases in which a successful program has been developed pending disposition of the charges, ORD submits to the defense attorney an account of this program—what it is, why it was established and how it is working—in support of a recommendation for a sentence other than imprisonment. This may include Youth Corrections Act, probation, and Narcotic Addict Rehabilitation Act, among others. ORD reports are thus different from probation reports in three ways:

1) They do not report background and legal situational material unless such coverage contributes an insight into the recommendation or the contacts of the ORD worker with the person.

2) ORD reports are submitted only when a plan can be recommended. In this regard, however, it should be remembered that ORD is not involved in every case in which there is a PDS or private appointed counsel, so that the absence of a report does not mean there was a negative experience with a client.

3) The ORD report is based on a unique experience with the defendant, usually gained by working with him from the early stages of his entry into the criminal process and by working through the attorney-client relationship.

Attachment

OFFENDER REHABILITATION DIVISION
PUBLIC DEFENDER SERVICE

Face Sheet

Name (Last,First, Middle)	ORD No.	Referral Date
Address	Telephone	Date of Birth
Present Location	DCDC No.	Court and Docket No.
Attorney	Agency or Address	Telephone

Charge(s) Initial	Charge(s) Current
Charge(s) Pending	Serving Sentence?

Comments/Referral Notes (such as, request for bond release, pre-trial discussion, etc.

Conditions of Release (if applicable)

Relevant Family Members/Associates

Name _____ Relationship _____
Address _____ Telephone _____
Name _____ Relationship _____
Address _____ Telephone _____
Name _____ Relationship _____
Address _____ Telephone _____

Assignment (Date:) Reassigned (Date:)
Program Developer _____ Program Developer _____
Follow-up Counselor _____ Follow-up Counselor _____

Study Submitted (Date:) Disposition _____ Closure _____

OFFENDER REHABILITATION DIVISION

PUBLIC DEFENDER SERVICE

FORM I

CLIENT'S NAME:_____ ORD NO._____

REFERRAL NOTES:

_____

_____

LEGAL SITUATION:

ARREST DATE:_____ INITIAL CHARGE (S)_____

CURRENT CHARGE (S) _____

BOND:_____ CONDITIONS IMPOSED:_____

_____

_____

CIRCUMSTANCES LEADING TO PRESENT CHARGE (S)_____

_____

_____

_____

_____

_____

PENDING CHARGE (S) (INCLUDING STATUS AND ATTORNEYS)

_____

_____

_____

_____

_____

SOCIAL INFORMATION:

DATE OF BIRTH:_____PLACE OF BIRTH:_____

HOW LONG IN D.C. (OR AREA)?_____

HOW LONG AT PRESENT ADDRESS?_____WITH WHOM_____

_____

OTHER LOCATIONS WHERE MAY BE CONTACTED:_____

_____

_____

PREVIOUS ADDRESS (ES) (PAST 3 YEARS) _____

_____

_____

PARENTS OR GUARDIANS:

NAME ADDRESS TELEPHONE OCCUPATIONS

SIBLINGS AND AGES:_____

_____

_____

_____

OTHER "RELEVANT" FAMILY MEMBERS:_____

_____

_____

CURRENT MARITAL STATUS:_____ MARRIAGE DATE:_____

PREVIOUS MARRIAGE (S) _____

CHILDREN:

NAME AGES SEX LIVES WITH

(ORD form p. 3)

EDUCATION:

LAST GRADE COMPLETED:_____ DATE:_____

SCHOOL:_____ ADDRESS:_____

INTERESTS/ACCOMPLISHMENTS:_____

REASON FOR LEAVING:_____

VOCATIONAL TRAINING:

TYPE	WHERE	WHEN	COMPLETED

INTEREST IN ENROLLING INTO A VOCATIONAL TRAINING PROGRAM?

WHAT TYPE?_____

_____

_____

EMPLOYMENT HISTORY:

PRESENT EMPLOYER:_____

ADDRESS:_____TELEPHONE:_____

SUPERVISOR:_____

WORK PERFORMED:_____

TAKE-HOME PAY:_____STARTING DATE:_____

PREVIOUS EMPLOYER:_____

ADDRESS:_____ TELEPHONE:_____

SUPERVISOR:_____

WORK PERFORMED:_____

TAKE-HOME PAY:_____ DATES:_____

PREVIOUS EMPLOYER:_____

ADDRESS:_____ TELEPHONE:_____

SUPERVISOR:_____

WORK PERFORMED:_____

TAKE-HOME PAY:_____ DATES:_____

(ORD form p.4)

MILITARY SERVICE:

CURRENT DRAFT STATUS:_____

BRANCH:_____ DATE ENTERED:_____

DATE DISCHARGED:_____ TYPE:_____

SPECIAL NOTES:_____

_____

TRAINING/EDUCATION RECEIVED:_____

_____

PROBLEMS:_____

_____

_____

_____

PRIOR LEGAL INVOLVEMENT:

ADULT:

DATES	AGE	CHARGE	DISPOSITION

JUVENILE:

DATES	AGE	CHARGE	DISPOSITION

INSTITUTIONAL EXPERIENCE:

_____

_____

_____

PROBATION OR PAROLE EXPERIENCE:

DATES	COURT	OFFICER

PHYSICAL HEALTH:_____

_____

_____

ALCOHOL PROBLEMS:_____ TREATMENT:_____

_____

_____

DRUG PROBLEM:_____ TREATMENT:_____

_____

_____

MENTAL HEALTH EVALUATION:

SAINT ELIZABETHS' MENTAL OBSERVATION:_____

_____

_____

PSYCHOLOGICAL TESTING:_____

_____

PSYCHIATRIC EXAMINATION:_____

_____

OTHER AGENCIES INVOLVED (WITH CLIENT OR FAMILY)

_____

_____

_____

_____

_____

_____

(ORD form p. 6)

CASE ACTIVITY SHEET

SUMMARY COMMENTS

DATES:_____ DEFENDANT:_____

OFFENDER REHABILITATION DIVISION
OF THE
PUBLIC DEFENDER SERVICE FOR THE DISTRICT OF COLUMBIA
601 INDIANA AVENUE, N.W., 5TH FLOOR
WASHINGTON, D.C. 20004
TELEPHONE NUMBER: 628-1200

- PERMISSION TO RELEASE INFORMATION -

I, _____ hereby grant

permission to _____
(Title of Agency or Institution)

for the release of information and/or records to

_____ of the Offender Rehabilitation
(Name of Worker)

Division.

_____ _____
Signature Date

_____ _____
Witness Date

_____ _____
Attorney Date

77-A

EMPLOYER QUESTIONNAIRE

FROM:

RE:
DATE:

Period of Employment: _____ to: _____

Job Description:

Required Skills:

Wage or Salary: _____Per _____.

Immediate Supervisor: _____.

Employer's Evaluation:

Attendance:	Good___Fair___Poor___
Promptness:	Good___Fair___Poor___
Performance of Assigned Work:	Good___Fair___Poor___
Ability to Accept Responsibility	Good___Fair___Poor___
Relationships with Supervisors	Good___Fair___Poor___
Relationships with Co-Workers:	Good___Fair___Poor___
General Attitude regarding Job:	Good___Fair___Pocr___

Reasons for Termination:

Special Remarks or Observations:

Would you

Re-employ M_____? Yes___ No___

Recommend M_____for Other Employment?
Yes___No___

Employer's Signature_____

PDS Cases Closed and Corresponding Costs for Fiscal Year 1973

CASES CLOSED DURING FISCAL YEAR IN ALL COURTS [1]

Court-Type Proceedings		N*
District Court (felonies)		328
Superior Court (felonies)		1,104
Superior Court (misdemeanors)		488
Superior Court—Juvenile Branch (delinquency; in need of supervision cases)		1,730
United States Magistrates (presentments and preliminary hearings on felonies)		478
Mental Health Commission		2,144
Appeals		42
United States Court of Appeals	18	
District of Columbia Court of Appeals	24	
Miscellaneous Hearings and Proceedings (e.g., probation and parole revocations; contempts; Narcotic Addict Rehabilitation Act cases; § 2255's; conditional and unconditional releases)		532
Total		6,846

* N = number of cases.

Financial Statement for Fiscal 1973 [1]

STATEMENT OF OBLIGATIONS INCURRED BY THE PUBLIC DEFENDER SERVICE FOR THE DISTRICT OF COLUMBIA DURING THE FISCAL YEAR ENDED JUNE 30, 1973*

	Amount Available	Obligations	Unobligated Balance
Personnel Compensation	$1,561,200	$1,432,360	$128,840
Personnel Benefits	128,100	117,694	10,406
Travel:			
Staff	10,800	13,180	—2,380
Transportation of Things	1,000	58	942
Rent, Communications and Utilities	17,800	49,004	—31,204
Printing and Reproduction	13,000	8,580	4,420
Other Services	19,600	88,570	—68,970
Supplies and Materials	14,600	14,309	291
Equipment	—1,300**	20,979	—22,279
TOTAL	$1,764,800	$1,744,734	$ 20,066

* This is a statement of account prepared by the Administrative Office of the United States Courts.

** Although undoubtedly the result of inadvertence, the Service's fiscal 1973 appropriation as received from the Congress actually contained a minus $1,300 for equipment.

[1] Public Defender Service for the District of Columbia, **Third Annual Report**, Fiscal Year 1973 (July 1, 1972 - June 20, 1973), p. 30, 36.

79-A ☆ U. S. GOVERNMENT PRINTING OFFICE : 1974 O - 557-815

(CUT ALONG THIS LINE)

EXEMPLARY PROJECT MANUAL

"The D.C. Public Defender Service: Volume I, Policies & Procedures"

To assist LEAA in the preparation of future Exemplary Project Documentation Materials, the reader is requested to answer and return the following questions.

1. What was your purpose in reading this document?

- ☐ Planning a new Public Defender Agency
- ☐ Modifying an existing Public Defender Agency
- ☐ Comparing the D.C. Service with your local defender organization
- ☐ General Information
- ☐ Other (Please specify:_____)

2. Was the information in this document relevant to your needs?

☐ completely ☐ partly ☐ not at all

Comments:

3. To what extent would you consider the information useful for:

	Highly Useful	Of Some Use	Not Useful
Setting standards in planning or delivering Public Defender Services	☐	☐	☐
Evaluating the effectiveness of a Public Defender Agency	☐	☐	☐
Identifying policies that could be adapted to your jurisdiction	☐	☐	☐
Developing a thorough understanding of exemplary defender agency procedures	☐	☐	☐
Other (Please specify:_____)	☐	☐	☐

4. In what ways, if any, could the document be improved:

A. Content/Coverage;

B. Structure/Organization

C. Writing Style/Format

5. Please check the ONE item below which best describes your affiliation with law enforcement or criminal justice. If the item checked has an asterisk (*), please also check the related level, i.e. Federal, State, County or local.

	Federal	State	County	Local
☐	Headquarters, LEAA		☐ Police *	
☐	LEAA Regional Office		☐ Court *	
☐	State Planning Agency		☐ Correctional Agency *	
☐	Regional SPA Office		☐ Legislative Agency *	
☐	College/University		☐ Other Government Agency *	
☐	Private Firm		☐ Professional Associations *	
☐	Citizen Group		☐ Crime Prevention Group *	
☐	Legal Aid/Public Defender Agency			

6. Your Name (Optional) _____

Organization or Agency _____

Your Position _____

(Fold)

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